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WESTERN AMERICANA

THE

NORTHERN TIER:

OR,

LIFE AMONG THE HOMESTEAD SETTLERS.

BY

JEFF. JENKINS.

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TO

SOL. MILLER,

The Pioneer Editor of the Kansas Chief,

"MY GUIDE, PHILOSOPHER, AND FRIEND,"

Whose keen observation of Men and Measures, and whose Gifts
to Freedom, Friendship and Fun, through the columns
of the Chief, enlivened so many Households
during the many years succeeding
the First Settlement of
Northern Kansas,

THIS BOOK IS GRATEFULLY DEDICATED,

BY THE AUTHOR.

PREFACE.

A prudent writer doubtless hesitates before publishing his first book. The apprehension of criticism, the doubt of ability to meet the demands of the reading public, and the harrowing thought that the manuscript may be considered as trash, are some of the reflections of the author as he arranges the chapters for publication.

A desire to preserve in permanent form some of the memorable scenes and incidents that transpired during my observation of the first settlement of Northern Kansas and the homestead region, was the motive of the author in writing the following pages.

These sheets were written during the interval between office hours, while I was engaged in the arduous duties of Receiver in the U. S. Land Office; and aware of defects, I trust this apology will be received kindly by friends among the early settlers, who I hope may be able to find something to interest and amuse them in these pages.

Many of the incidents related came under my own observation; but I am indebted to others for much information, to whom I have endeavored to give credit in the proper place.

THE AUTHOR.

CONCORDIA, KANSAS, January, 1880.

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THE NORTHERN TIER.

THE NORTHERN TIER.

CHAPTER 1.

NORTHERN KANSAS.

KANSAS! — the land of cottonwoods, grouse and good things; the land of ambrosial springs and Indian summer autumns; the land that secured the coronet of stars through difficulty — has a history, all of which has not been written. The graphic pen-pictures by Richardson, the statistical "Annals" by Wilder, the characteristic details of border life by a number of authors, and the various contributions to the magazines and newspapers, constitute a history of value for future generations seeking facts in relation to the vicissitudes, hardships and persistence of the early settlers, while struggling to preserve the Territory and State from the doom of slavery.

Journalists have speculated as to the route and terminus of Coronado's march; and have vividly described the exploits of Lane, Old John Brown of Osawatomie, and others along the southeastern border of the State, from the time of the erection of the first cabin on the town site of Lawrence down to the adoption of the Wyandotte constitution. They have portrayed the valor and fidelity of the men and women who, individually and collectively, were determined to have institutions and laws unsullied by human slavery. To such descriptions have been added striking accounts of their physical and moral courage, exhibited under the most difficult circumstances, which constitute a history of interest and value for the posterity of the pioneers in those stirring times.

But the scenes and incidents in and about the camps, camp-fires and cabins of the early settlers of the "Northern Tier," and the frontier life of the "homestead settlers" of North-western Kansas, as yet form a part of the unwritten history of the State. The gold excitement in California in 1849 left its imprint in Northern Kansas, in the form of a well-beaten wagon-trail from the Missouri river along the "divides" to the Big Blue river, at a point where Marshall afterwards founded the village of Palmetto, the name of which was subsequently changed to Marysville. The long trains of covered wagons wended their devious way over the plains, starting the deer and antelope from their covert, watched by the vigilant eye of the cowardly coyote from adjacent ridges. The lowing of oxen and the camp-songs of the drivers disturbed the monotony of that wild waste of undulating territory. The wayside graves still mark the last resting-places of the less-fortunate adventurers, who had left home and kindred in the East to seek a shadowy fortune in the El Dorado of the West. The country through which this trail led from the Missouri river to the Big Blue, subsequently defined and named as the counties of Doniphan, Brown, Nemaha and Marshall, with a landscape of surpassing beauty stretching away as far as the vision extended, limited by the horizon or the timber skirting the small streams, fed by springs of pure water, induced the immigrants and first settlers to designate that region as the "garden spot of the world."

The average California immigrant of 1849, after crossing the Missouri river at St. Joseph, seemed to exist in a world of his own, and all his former fancyings of fun and fast life on the plains gradually assumed the aspect of stern reality the farther he advanced from the settlements. That part of the route from the Missouri river to the Big Blue, being less exposed to the danger of lurking savages than the trail further westward, the immigrants realized their anticipated pleasure to the fullest extent in the chase after game during the day, and with jokes, anecdotes and hilarity around the camp-fires at night, while the blue smoke ascended in spiral wreaths from their new brier-root pipes. If any had regrets at leaving their sweethearts or their boyhood haunts about the old homestead, with transient depression of spirits or homesickness, they were soon dispelled by the jests of their companions, or the sudden crack of the sentry's rifle, aimed at the thieving coyote whose voracious appetite tempted him to reconnoiter the camp.

Many are the romantic stories of adventure that transpired along that grass-grown trail. It was crossed at right angles in the western part of Brown county by what was known as Jim Lane's Road, traveled by Lane, Old John Brown of Osawatomie and others for a nobler purpose—guiding the hunted and harassed fugitive slaves to freedom, and returning with Free-State men, who dare not cross the State of Missouri, and who sought free homes on the wide prairies of Kansas, which had been consecrated to freedom by the battles of Osawatomie and Hickory Point. When the fugitive slave had crossed the old "California trail," the dim outlines of the timber skirting the Nemaha, near the Nebraska line, met his vision at dawn of day, after a night of weary travel and constant alarm, beyond which he saw freedom, and

> "The thought, when admitted to that equal sky,
> His *unsold children* would bear him company."

That old road is a part of the history of Kansas, and has been truly described by Maj. Morrill in his admirable pamphlet on the history of Brown county.

That old California trail is a trail of the past, having long since been defaced by the plowshare, and the onward march of civilization has driven the buffalo, deer and coyote from the adjacent country. Instead of the howl of the wolf and the camp-songs of the California immigrants, are heard the church and school bells, and the songs of husbandry and the hum of machinery accompany the labors of a free and happy people.

When old Wathena had lived out his allotted time, his paraphernalia, trophies and traps had been checked for the "happy hunting-ground," and the remnant of his tribe had taken up their abode on the Kickapoo Reserve; when the Otoes and other blanketed tribes of the plains had been corraled on reservations, and the Kansas-Nebraska bill had become a law, immigrants from nearly every State in the Union rapidly settled in Northeastern Kansas. Log cabins in the timber and "dug-outs" on the prairie sprang up, with occasionally a more substantial structure, the proprietor of which possessed a little more of the necessary means to make himself and family comfortable in a new country. In addition to the farmers, merchants and mechanics, the other indispensable auxiliaries of a new settlement came—circuit riders, school teachers, doctors, lawyers, and those degenerate satires upon truth and honesty, excrescences hanging to the verge of the legal profession, commonly called pettifoggers.

A celebrated English writer says: "The land is the mother of us all; nourishes, shelters, gladdens, lovingly enriches us all." I might add, when we have no further use for its germinating power, and have done paying high taxes for the use of and privilege of owning it, the land kindly receives us beneath its surface, to be undisturbed by contending forces in the ranks of war, the pursuits of enterprise, the allurements of avarice, or the peaceful avocation of agriculture.

The inherent desire to own and occupy a quarter-section of land, whether hereditary or transmitted from the customs of ancient aristocracy, induced the young and middle-aged who were landless to immigrate to Kansas with a view to secure land and a home, under the preëmption law of 4th September, 1841. Their vision of a new country was magnified by imaginary guide-posts to fortune, with less labor, fewer hardships and more pleasure than accompany a home in the older States. The boundless prairie constituted, to the sanguine mind, nature's extensive pasture as the ruminating ground for "cattle on a thousand hills;" and the prairie sod was supposed to be as easily overturned as the greensward of red-top and clover in a field in the older States that had been cleared and cultivated for half a century. The fact that it required to break prairie three or four yoke of oxen, with a plow the beam of which would make a half-cord of stove-wood, with iron fixtures sufficient to make a respectable cow-catcher for a locomotive, did not occur to the mind until instilled into it by experience.

The family usually arrived in a covered wagon containing the family furniture and bedding, among which the small children alternately played and slept during the journey, while the large boys and girls drove the cows and calves, the house-dog bringing up the rear. A hastily-improvised chicken-coop was attached to the rear end of the wagon-box, from which the heads of the poultry protruded, manifesting a desire for freedom by their restless movements and incessant cooing and cackling. Each immigrant wagon contained its youthful Nimrod, generally the first-born, who had listened to the fireside hunting stories of his grandfather, or perchance had read the wild life and adventures of Boone, Wetzel, Kenton and others, until he imagined himself a hero, capable of defending the future Western home against the incursions of Indians, besides supplying the family with game. His hunting exploits had been confined to squirrel-shooting in the beech-woods of Indiana, or oak groves of Ohio, with the periodical coon hunt, or to extracting the sullen woodchuck from his ancestral home in the rocks, the moss-grown log-heap or stone-pile in the meadow or woods pasture. He had spent hours brightening the old rifle, and had arranged his hunting paraphernalia as carefully as a trapper and hunter would preparatory to spending a winter in the wild passes of the Rocky Mountains.

The initiatory steps to secure a tract of land were, to lay a foundation, with four logs, for a cabin, and hie away to the land office, then at Doniphan, and file a declaratory statement of intention to preëmpt the tract, which secured to the settler an inceptive right, the consummation of which required that he should reside upon, cultivate and improve the same for a period of twelve months; then pay one dollar and twenty-five cents per acre, and receive a patent from the Government. During the interval between laying the foundation and finishing the cabin, the family prepared their meals at the camp-fire, and slept in the covered wagon or a temporary tent prepared for that purpose.

If this scene had its wild appearance, attended with hardships, it also had its attractions and picturesque beauties. The fertile soil awaiting development, covered with nutritious grass and beautiful wild flowers; the whirring of the prairie-chickens or grouse as they arose out of the tall grass and sailed away with their free flight to an adjacent ridge;

the shrill whistle of the curlew and plover; the gobble of the wild-turkeys in the timber skirting the streams; the familiar notes of the lark, robin, jay, and other of nature's songsters, possessed attractions for every member of the family. The prospect of a home unburdened with rent and unincumbered with debt and mortgage; the future prospect of schools and churches, and the noble impulse to establish the nucleus of a civilization unsullied by human slavery, in which the healthful breeze would fan the brows of a free people, served to dispel the otherwise gloomy outlook.

The conveniences and comforts of life being necessarily limited, induced the sanction of those social and neighborly customs adopted by the first settlers of the Middle and Western States during the first quarter of the present century. Their limited means would not permit social entertainments on the scale of the Knickerbockers, in former times, on the shores of the Hudson; but the traditional friendship and unrestrained hilarity that prevailed in the log cabins of fifty years ago, in the then frontier settlements, were fostered and encouraged by the first settlers of Northern Kansas. The cold rules and artificial lines of polite society were ignored. Visiting among the women and spontaneous gatherings of the men were pleasant occasions, at which their wild surroundings and future prospects were discussed, serving the two-fold purpose of affording mutual aid and confidence, and of banishing any lingering regrets at leaving their homes in the East. Camp and basket meetings among the pious, and dancing-parties for the young people, served to dispel the gloomy forebodings of the future, or the lingering pangs of sorrow and disappointment having their root in the past. Corn-huskings, "quilting-bees," and the snow-bound Christmas party, were heralded as events of hilarity and pleasure by the inmates of every household. At early dawn on Christmas morning the salute of firearms at the bed-room window of the lazy, late-sleeping farmer, by his more energetic, vigilant neighbor, was the signal for bringing forth the "little brown jug," with the repetition of the adage, "It is the early bird that catches the worm," or the more patriotic expression, "Eternal vigilance is the price of"—a Christmas dram!

Economy and frugality were more a matter of necessity than choice, and the rustic culinary genius who presided over the' kitchen department often was compelled to divide the component parts of a meal with exact calculation, to make it last as long as possible. At one time, in a certain community, for several weeks, there was but a single piece of pork in the neighborhood, which was used alternately by each neighbor with which to cook beans and other vegetables, passing from one to the other, until it became "rich with the spoils of time," a sad relic of what originally would have constituted a square meal. The wearing apparel of the pioneer's family indicated strict frugality, and "home-made" clothing, hastily improvised from grain sacks by an expert housewife, often decorated the person of the boys. In fact, it was an excellent opportunity to wear out old clothes that would have been discarded in older society.

As the settlers were practically equal and mutually dependent, there was little cause for that envy, jealousy and selfishness which cause a large portion of the unhappiness in older communities. The log cabins and board shanties, though rude in architecture, sheltered as noble hearts as ever beat beneath costly vestments in palatial mansions, and, to use a common Western expression, "The latch-strings of the cabin-doors hung upon the outside," emblematic of the genuine charity and hospitality found within by the traveler and stranger.

Those who are accustomed to refinement and plenty in the older States, doubtless would conclude that there was little happiness or pleasure in such a state of society. But aside from the political feuds growing out of the attempt to establish slavery in the Territory, and the persecution of the Free-State settlers by daring and desperate men from the border slave States, the occupants of those log-cabins were among the happiest of mankind. The story, the joke, the song and the laugh were never better enjoyed than in the cabins and around the camp-fires of the first settlers of Northern Kansas. Roast turkey, venison, and the delicious prairie-chicken, never tasted better than when prepared beneath the sod roofs of the primitive cabins that dotted the "Northern Tier."

The horseback ride over the prairie through the grass, hunting the cattle in the evening, guided by the distant tinkling of the cow-bell; the chase after the cowardly coyote; halting for a moment to look at the beautiful sea-like mirage growing less distinct as the sun disappeared behind the western plains; while flocks of wild-geese and brant rose screaming from the fields, and sailed away with geometric regularity to the sand-bars and eddies of the Missouri—were experiences of daily life at certain seasons of the year, that for pleasure were scarcely surpassed by the halcyon days of my boyhood labor in the sugar camp, and the rambles through the dear old woods of the Buckeye State.

While danger and hardships surrounded the settlers, still happy scenes of pleasure, like the bright beams of the morning sun dispelling the gloom of night, pervaded every household; and that hope for a bright future, that "springs eternal in the human breast," kindled a noble impulse to consecrate this beautiful land to freedom and christianity, and establish a higher civilization. The sun-burned settler, clad in his home-made raiment, sat upon the inverted water-bucket, block of wood, or rude puncheon bench on the green-sward, beneath the shade of nature's canopy, and worshipped the Divine Being as devoutly, piously and acceptably, while listening to the expounding of the scripture by an itinerant minister from a wagon-box for a pulpit, as the gaudily-dressed millionaire in Tremont Temple. That the settlers laid enduringly the foundations of a high civilization, with liberty and equality before the law, is manifest from the prosperity with which our progressive young commonwealth has been blessed.

There is one spot in the Northern Tier that deserves more than a passing notice, and should be sacred in the memory of the members of the "mystic tie." In the northeast part of Doniphan county is a high hill or ridge, from which a fine view extends far up and down the Missouri river. On the summit of this hill, in 1854, was a beautiful oak grove, where, in the summer of that year, Smithton Lodge, No. 1, of Free Masons, was organized. It was the first lodge organized in the Territory. An Indian trail led through or near this grove to Smith's trading-post in the valley below. In the autumn of 1854 I passed over that trail, and well remember my admiration of that grove of trees at the time, but was not aware until some years afterward that the ceremony establishing Masonry in Kansas was performed there. The only survivor of those who were present at that organization, residing in Kansas, to my knowledge, is the venerable Daniel Vanderslice, now living near Highland. He being the only one who can designate the exact spot where the ceremony was performed, it occurs to me that it would be proper, ere he passes from earth to a higher life, for the grand and subordinate lodges of the State to erect a small monument there, inscribed with the name and number of the lodge, and date of organization. If the beautiful trees are still standing, doubtless a small portion of the ground could be purchased. It would be emblematic of a scene coincident with the first settlement of the Territory, of which every member of the order in the State might well feel proud.

CHAPTER 2.

THE NORTHERN TIER.

That portion of Northern Kansas familiarly known as the "Northern Tier" presented, during its first settlement, rare scenes of rural loveliness, from the Missouri river to the Big Blue. I have passed over that country in the spring and in autumn, during those early days. In the spring the grass was pushing its green blades from the warm soil; the elms and other trees along the streams were flushed with fragrant buds just bursting into leaflets; the wild plum bushes were whitened with beautiful blossoms, and countless lovely wild flowers decorated the banks of the streams and ravines. The robins, thrushes and jays flitted among the branches, and the rabbits skipped along the cow-paths. Musquito creek, in Doniphan county, where the old California trail crossed it, Wolf creek and Walnut creek, in Brown county, the Nemaha, in Nemaha county, and the Vermillion, in Marshall county, were beautiful timber-bordered streams in those early days in spring-time. Other smaller streams were equally attractive to the lonely traveler.

The bluffs and bottoms along the Missouri were heavily timbered before the woodchopper's ax and saw-mills made sad inroads in nature's groves. Thickets of plum bushes and hazel grew along the narrow bottoms and at the foot of the bluffs, in which the wild-turkeys built their nests, screened from view by the rank growth of wild flowers and foliage. The fox-squirrels leaped from branch to branch, or spent their summer mornings building their fragile houses of leaves among the branches of the stately elms. How I admired a ramble along those bluffs and table-lands in that early time, in search of the truant milch cows, the only guide to their shady retreat the tinkling of the cow-bell! In autumn, the wild grapes hung in clusters from the straggling vines; the frosted leaves, loosened from the stems, fell from the branches, or floated away at random, borne by the breeze; the walnuts dropping to the ground; coveys of quails rustled among the leaves as they hastened in single file to the nearest thicket of bushes; and the distant drumming of the ruffed grouse, reminded one of "Gay's rural sports."

The oldest permanent white settler in the "Northern Tier" was the Rev. S. M. Irvin, who came to Doniphan county in the spring of 1837, and took charge of the Indian Mission two miles east of the town of Highland. He crossed the Missouri river where St. Joseph now stands, then an Indian trading-post, owned and kept by Joseph Robideaux. At that time the Kickapoo Indians owned about half of the land now embraced in Doniphan county, and the Iowas and Sacs and Foxes the other half. The villages of the Kickapoos, at that time, were near where Fort Leavenworth now stands; and the villages of the Iowas and the Sacs were near the mouth of Wolf river, in Doniphan county. The Atchison & Nebraska Railroad passes very near where they stood. The Mission building was completed the same year (1837) that Mr. Irvin came, and the Mission continued under his management and control until after the Indians relinquished their claim to the land, in 1853.

When Mr. Irvin came to the Mission the Indians were barbarians, and the impression made upon them by instruction and kind treatment at the Mission at first seemed to be but slight; but they in time became half-civilized, and have quit the chase and war altogether, and now live by farming and raising stock. Thus it will be seen that much good was done by the Mission, and to Mr. Irvin belongs that credit as the representative of the society that undertook the work. He composed and had printed in the Indian language a small grammar for the use of the Indians whom he was instructing, a copy of which I believe is now among the treasures of the State Historical Society.

He must have led a lonely life, far from white settlements, during the long years of his labor at the Mission, surrounded by a blanketed tribe of aborigines, whose only pursuits were the chase and war with other tribes; whose signal of pleasure was the war-whoop, their recreation the war-dance, and their wigwam trophies the scalps of their enemies. Mr. Irvin exerted an influence over the Indians that still exists among the present remnant of the tribe on their reservation, and he is doubtless more familiar with the traits of Indian character than any man in the State. I trust he will yet give to the world that knowledge he acquired by his long service among the Indians, as a part of the unwritten history of the State.

Out of the Mission grew the Highland University, an institution of learning at Highland that has been an ornament to the town, and of great benefit to the surrounding country. The town of Highland was selected as a literary point, and its healthful location, beautiful surrounding scenery and lovely landscape stretching away in a level plain on either side, dotted here and there with beautiful groves of timber, have proved the wisdom and judgment of those who chose that spot for the University. The excellent moral society in and about Highland, the enterprise of the people, the handsome residences, the well-improved farms surrounding the town, the evidences of taste and neatness, the refinement and culture of the people, their genuine hospitality to strangers and visitors, and their worthy example to the students, make Highland an attractive place for those who desire a classical education.

Closely identified with the early history of the Northern Tier was the establishment of the line between Kansas and Nebraska. The 40th parallel was established by Capt. Thos. J. Lee, of the Topographical Engineer Corps, U. S. A. His observations to establish the parallel were made on a sand-bar or beach on the east bank of the Missouri river, in the autumn of 1853; from which point John P. Johnson, now of Highland, fixed the initial or starting point on the west bank of the Missouri river, where he planted an iron monument. From this point he surveyed the line from ninety to one hundred miles west, erecting monuments of earth or stone. About the same time, Daniel Vanderslice was establishing the boundary lines of the Iowa and the Sac and Fox reservations. Vanderslice was an Indian agent, and his surveyor took observations on Roy's creek, and fixed the 40th parallel within a rod of the line surveyed from the iron monument west. There were three lines run a distance of thirty-two miles west, all close together. The line run by order of Mr. Vanderslice was the first that was surveyed, which, after passing through the new Iowa reservation, formed the southern boundary of the Sac and Fox reservation. The line run by Johnson was a little south, and the line that was finally adopted was very near the line run by Mr. Vanderslice. These lines all came in contact with each other, and Mr. Johnson continued the main line for ninety miles west. In running that line, the men under the employ of Mr. Johnson had rare sport. The timber along the streams abounded with wild-turkeys, and deer were numerous on the prairie; and as the men gathered around their camp-fires at night, they feasted on roast turkey and venison, and spent many pleasant evenings in story-telling, singing songs of by-gone times, and in the usual rollicking, fun-loving manner that attends camp life on the prairie.

Mr. Johnson still resides at Highland, and can relate many amusing incidents that transpired during that survey.

Mr. Vanderslice, though aged, still retains a distinct recollection of the scenes and incidents of those early days, and his labor in establishing the boundary lines of the Indian reservation, the incidents attending his agency, and the first settlement of that part of the State. An hour spent with the old gentleman discussing those early times is an hour of genuine pleasure.

The report of the expedition of Lewis and Clarke up the Missouri river describes the headlands, promontories and beautiful scenery that still existed within the boundary of what is now Doniphan county when Mr. Irvin assumed his duties at the Mission. Though surrounded by the untutored aborigines, his lonely hours were made pleasant by the consoling reflection that he was performing a great moral duty in his endeavor to instruct the wild inhabitants of the plains; while his admiration of natural scenery was gratified for long years by the most beautiful landscape, which he has been permitted to live to see subjected to cultivation, and transformed into fields of grain and orchards of beauty. Hence, when the Kansas-Nebraska bill became a law, and immigrants began the erection of their cabins within sight of the old Mission, Mr. Irvin was rejoiced by the evidences of civilization, and rendered material aid in making the settlers comfortable, and assisted in developing the country. His invaluable services in establishing educational, moral and religious society in that early settlement in and about Highland, secured for him the high esteem in which he is held by the people—the greatest earthly reward in his declining years for a long and well-spent life.

The period from 1864 to the close of the war was an eventful one for the Northern Tier. Seventy miles of river border bounded Doniphan county, only separated from the State of Missouri by the Missouri river; while Lane's trail for the exit of fugitive slaves and for the arrival of Free-State settlers crossed the western part of Brown county. The anxiety of the settlers during those long years of doubt and distrust was at length dispelled by the establishment of peace, and enterprise soon secured prosperity and a progressive civilization.

Since the State has been dissected by railroads, it has become a matter of historical interest to know in what locality the first railroad was constructed. The first locomotive that ever blew a whistle on Kansas soil was on the Elwood & Palmetto Railroad, on the 4th of July, 1860. The name of this road was subsequently changed to the St. Joseph & Denver City Railroad. The eastern terminus was at Elwood, opposite St. Joseph. M. Jeff. Thompson, of St. Joseph, was president, and having graded the road nearly to Troy, and laid down the iron to Wathena, a distance of four miles from the Missouri river, on the 4th of July, 1860, a locomotive and coach conveyed an excursion party to Wathena. The early settlers of Elwood and Wathena well remember the wild excitement and enthusiasm over the marvelous event of seeing the locomotive speeding westward through the dense forest on the wide bottom between Elwood and Wathena, conveying the first excursion party on the first railroad track built in Kansas. My memory traverses the past to a vivid recollection of that occasion, when I cut short a 4th-of-July oration at the village of Columbus, and with a party of friends on horseback galloped across the hills to Wathena to witness the excursion party arrive at that town. I had the pleasure also of witnessing the ceremonies attending the laying of the first rail in Atchison on the Atchison & Pike's Peak, now the Central Branch U. P. Railroad; but as there are abler pens than mine within the limits of that enterprising city, I leave the history of its growth and prosperity to them.

Another feature of enterprise in the early times was a small steamer that plied between the village of Bellemont and St. Joseph, upon which many pleasant boat-rides and excursions were had.

During the war, of the sixteen gallant regiments Kansas furnished to battle for the perpetuity of the Union and the Government, the "Northern Tier" furnished a large proportion, and many of the survivors of those different regiments are now among the thrifty farmers, mechanics and merchants of Northern Kansas. At their country's call they periled their lives in its defense, and upon the return of peace threw aside the trappings of martial array to assist in developing the fertile plains of Kansas. As their services in time of war form a material part of Kansas history, so their industry and enterprise in time of peace afford the best evidence of the stability of a republican form of government—evidence that the people in time of danger will volunteer to defend their country, and when peace returns, retire from the military ranks with honor, to the pursuits of agriculture and the various avocations that tend to develop the resources of the nation.

Nature did a good work for Northern Kansas when she made the soil, and checkered it with meandering streams of pure water, and covered the ground with nutritious grasses. The climate, though variable, is one to be admired. The vernal beauty, enlivened with refreshing showers and sunshine; the heat of summer moderated by salubrious, pleasant breezes; the mild, hazy days of autumn, with the absence of rain during winter, and an invigorating atmosphere, make the climate healthy and inviting.

The hot winds and occasional drouths that were observed before the country was settled are things of the past. Settlement and cultivation, with tree-planting, have removed the cause. Before the prairie-sod was turned with the plow, a large portion of the rain that fell flowed into the ravines and streams, and but little penetrated the soil. In a few hours the sun-dried earth contained no moisture to create vapor; hence the long intervals that elapsed without rain. Many of the small creeks and ravines that were then dry, except during a fall of rain, have since become streams of running water, and springs are found in localities where water was not discovered when the country was first settled. The cause is the fact that, after the prairie-sod was broken, a large portion of the rain that fell penetrated the ground. This I have observed in Northern Kansas, and it is doubtless true in other portions of the State, where settlements have existed for a few years. The cultivation of fruit and forest trees doubtless contributes materially to the increase of rainfall; and when prairie-fires cease, and the land is cultivated and trees are planted, hot winds and drouths will entirely cease. When Northern Kansas was first settled, it was feared by the settlers that fruit-raising would be a failure, but after the soil became cultivated fruit trees flourished, and no better fruit is raised in the United States than in Northeastern Kansas.

CHAPTER 3.

TOWN SITES AND NEWSPAPERS.

The desire to speculate in town lots induced the laying-out of some fifteen town sites along the Missouri river, within the boundary of Doniphan county, and a number in Brown county; and the dilapidated remains of Geary City, Palermo, Elwood, Bellemont, Columbus, Charleston, Lafayette, and other towns in Doniphan county, once embryo cities, are the relics of lost opportunities for greatness, transmitted to us on the elaborate delinquent tax-rolls of the county, or through the indulgent and loose legislation of the law-making power by which the streets and alleys have been vacated, and the sites changed into small farms.

Those were stirring days when these now defunct villages were in a flourishing condition, the price of town lots advancing, swapping horses an inalienable franchise, and assault and battery the code of honor. Each of those villages, being the head center of a township (except the townships that contained more than one village), had a justice of the peace and constable, and one or more pettifoggers who volunteered to conduct all the cases brought by parties, besides inducing people to bring suits for every imaginable grievance, until the practice before justices of the peace assumed such proportions that the lawyers were often called from the county seat to meet and combat the technical, surface acumen of pettifoggers; and a large per cent. of the practice in the district court was appealed cases from justices of the peace in those several villages.

Many amusing scenes and incidents transpired in the justices' courts in those early days, but to give them in detail would require more space than is designed for this chapter.

An early indication of prosperity in many of those villages was the establishment of weekly newspapers by enterprising editors, who desired to assist in shaping the destiny of the Territory and future State. Who can estimate the benefit which the Territory, and subsequently the State, derived from the enterprise, the vigilance and industry of the publishers of newspapers? Their task was an ungrateful one at best, and their patient endurance unequaled. They were expected to publish every communication sent them by whimsical scribblers in prose, and meaningless poetry indited by precocious genius, or incur the displeasure of the writers. They were obliged to clip with incessant industry from their exchanges the little items that together formed so large a fund of interest in the news department. They were expected to answer all questions of subscribers and correspondents on history, religious and political, from the first chapter of the Pentateuch down to the last article of the constitution of the last State admitted into the Union. In short, as the population was from nearly every State in the Union, the editors were expected to please every one, pitch into every one's personal and political enemies, puff every office-seeker gratis, and insure the success of the party at the elections. To be neutral in those early days and stirring times was impossible, hence each editor was a member in good standing of one or the other of the political parties, and their papers were either designated as Free-State or Pro-Slavery in politics.

No class of men were harder worked in their profession, with less remuneration for their services, than the editors and publishers of newspapers in the early days of Kansas. It was almost a miracle if they secured their bread and butter without incurring debt, and the uncertain, gloomy prospect of laying by an extra dollar for a "rainy day" or old age was dispiriting in the extreme. The only exhilarating exercise was slashing the name of some "dead-beat" from their books of subscription, or ventilating in an editorial the shortcomings of a political demagogue during the excitement of a campaign.

Where is the early settler of Kansas who has not felt a pride in the success of the newspaper of his adopted county that reflected his political views, and assisted in causing a rapid development of the country? The press in those early times had a powerful influence, not only in inducing immigration to the Territory, but the Free-State papers and those that advocated a "free soil" and "free homes for a free people," did much toward establishing the institutions, and the civil and religious liberty, that adorn our progressive young State.

Those editors and publishers who, during the troublous times, did so much to advance the interests of the Territory and State, deserve not to be forgotten; and as the incidents contained in this book are limited to a certain portion of the State, and as perhaps no county in the State has had as many newspapers established within its borders as the county of Doniphan, it was the design of the author to publish a list of them, which was kindly furnished me by the editor of the *Chief*, and also the newspaper history of the counties of Brown, Nemaha and Marshall, as a part of the history of the "Northern Tier," but as that history is contained in the "First Biennial Report of the State Board of Agriculture," it is omitted. Some twenty-five newspapers have been published at various periods in Doniphan county, some of which flourished for a few months, and then suspended, and others continued for years.

The *Kansas Chief*, one of the first papers published in the county, is the oldest paper now published in the State, and its editor the oldest in continuous service. In May, 1857, he landed at White Cloud, and at once commenced the publication of his paper. The storm-cloud of 1856 yet hung over the border, when "Free-State" men sought refuge by night in the timber, and brave women with sleepless vigilance watched over the slumbers of the children in the cabins. Brock and Harding and others had been indicted and arrested on a charge of treason, for acting as judges of a Free-State election. The so-called "bogus code" of 1855 was the law of the land. When the Free-State party along the seventy miles of river border were in need of some bold advocate of their rights by the press—when the timid were frightened, and the brave were serious and doubtful—it was then that the editor of the *Chief*, on the 4th of June, 1857, sent forth his paper, devoted to the championship of Free-State principles. His keen observation of men and measures, his bold advocacy of what he deemed right, his fearless denunciation of what he thought wrong, and his bold defense of the Free-State party, made his paper a valuable one, and from its columns the oppressed received courage and renewed hope for better days. He had a powerful memory, that went back to the distant past, and vividly sketched the shortcomings of politicians who supposed their past acts were buried in oblivion, far beyond the reach of any newspaper editor. It may have been thought by the readers of his paper who had not the pleasure of his acquaintance personally, that he was selfish and sarcastic at all times and under all circumstances. On the contrary, he was a warm and generous friend; a genial, social fireside companion, fond of telling stories, and if some of his stories and editorial paragraphs were in questionable taste, they were regarded as harmless, the outburst of his mirth-loving, genial spirit. But the pungent paragraphs in his paper were a warning to his personal and political enemies that, if they attacked him, his ammunition was inexhaustible and his warfare relentless. His wit and anecdotes were proverbial, flashing out brilliant and pungent, in brief paragraphs; while the vivacity displayed in the columns of his paper and in his social intercourse with his friends clearly indicated that day-dreams never interrupted his well-known industry. The printing office was and is his cherished home, and the *Chief* his household idol.

CHAPTER 4.

A DAY'S FISHING AND HUNTING ON THE TARKIO.

"What is that, Joe?"

"Medicine!" exclaimed Joe, as he deposited a demijohn in the wagon-box, among the camp equipage, boxes of provisions, fishing-tackle, etc.

"The pint o' the business is," said Joe, "the water is bad in the Tarkio bottoms, and to prevent *agur*, I thought I would take along suthin' as a counter-irritant, as the doctors call it, against chills and bad water; and the snakes are crawling out of their holes this warm weather, and some on us might get bit, and it's best to have a little of the counter-irritant along, for you know 'an ounce of preventive is worth a pound of cure,' as the almanacs have it."

"I will warrant a little of that in the demijohn will prevent 'agur,' banish 'muskeeters,' and cure snake-bites."

The above dialogue occurred between Joe and the author, on a bright May morning during the early settlement of Kansas, while engaged in loading a wagon with provisions, hunting material, and fishing tackle, consisting of a seine, fishing-boat, and other appliances, preparatory to starting on a hunting and fishing excursion about the Tarkio and Nodaway rivers, some fifteen miles north of Troy, Kansas, and across the Missouri river. At that time there were numerous ponds along the shores of the Tarkio and Nodaway, on and about which wild ducks lingered late in the spring, and the still water at the mouth of those streams abounded in fish. The party consisted of a lawyer of Quaker descent, whom I shall designate as Judge, as he afterward wore the judicial ermine; Uncle Charley, the inn-keeper; Joe, the proprietor of the seine and the boat; and the author.

It was the first week in May. The wild geese and brant had gone north, but a large number of wild ducks still remained about the ponds and creeks, and, to use Joe's expression, "The fish were running up stream, and it was a good time to cast the net." The "outfit" consisted of a light wagon, loaded with sundry hunting and fishing material, boxes of "eatables," and Joe's demijohn of drinkables. As none of the party were technical or strict constructionists of the rules and obligations of the temperance societies, or fully up to the standard of total abstinence, we did not demur to Joe's last addition to the cargo.

We set out shortly after sunrise, and it is needless to describe the journey to the Missouri—the stopping of the wagon for the Judge and Charley to alight and reconnoiter a thicket into which they protested they had seen a rabbit run, or to climb a rugged side-hill in pursuit of some truant squirrel, whose agile movements among the branches of a tree had attracted their attention, while Joe meanwhile manifested his impatience to cast his net by sundry expressions of questionable moral import.

Arriving on the bank of the Missouri, we dismissed the teamster, with instructions to meet us at a certain spot, in two days, and then launched Joe's boat. We landed on the opposite shore, two miles above the Tarkio, and the Judge and I disembarked, with the understanding that we were to hunt through the woods to the stream, while Joe and Charley rowed the boat down to the mouth of the stream, moored it, cast the net, put out the lines for fish, and waited until we joined them. The Judge made a circuit through the woods to the left, towards the ponds along the Tarkio, and I hunted through the woods at a convenient distance from the river, managing to bag several fox-squirrels on my way. I had arrived on the bank of the Tarkio, when the roar of the Judge's gun up the creek indicated that he was among the ducks; and a flock of mallards came flying down the creek, one of which I killed on the wing, and as it fell into the water I undertook to secure it, the water not being above my boots in depth. As I neared the duck I became conscious that I was sinking in the quicksand at each step, and was scarcely able to extricate my feet. In this situation I halted, and called loudly to Joe and Charley for help, still sinking lower in the sand. I threw my gun and equipments on shore as Joe arrived on the scene, and, notwithstanding his anxiety for my safety, he could not forego the pleasure of placing his hands upon his knees (a position he usually assumed when pleased) and enjoying a hearty laugh at my expense, while I was settling down in the sand and mud, and calling lustily for help. Joe, becoming alarmed, cut his merriment short by procuring a fence-rail from a pile of drift, and placing it alongside of me, assisted me to extricate my limbs; and as soon as I was on shore he commenced his uproarious laughter at my expense, occasionally throwing in some Western phrases, to add to my mortification, while I sorrowfully viewed my mud-covered garments. Charley had left the net and arrived on the scene just as Joe and I had reached the shore; his good-natured laughter, added to Joe's merriment, increased my chagrin at my situation.

Soon after, the Judge appeared, and after silently viewing me for a few moments, contributed some long-drawn-out sentences of comment, from which any one could infer that he was of Quaker descent. I could not laugh, and I was too old to weep; but upon Joe remarking that I should be more thankful to him and the fence-rail than to Providence, and that I should not be so serious, I finally half-way enjoyed the scene and situation, barring the sight of the mud armour that encased my limbs.

We then repaired to the mouth of the creek, where Joe and Charley already had a fine fish dressed for dinner. The Judge moved that I should seek a secluded spot in the sunshine, and dry my garments as best I could, while they prepared dinner. Charley seconded the motion, but Joe expressed a desire to debate the question, though he could not repress his laughter at my situation long enough to indulge in the classical expressions usual to him on such occasions.

Joe was steward of the party, and I must admit that he could prepare the best meal while in camp of any one with whom I have camped, and I was somewhat familiar with such matters in the early settlement of Kansas. While Joe was preparing dinner, as often as he looked at me his culinary preparations were interrupted with one of his uproarious spasms of laughter.

After dinner, it was agreed that Joe and Charley should take the boat down the river to the mouth of the Nodaway, ascend that stream as far as the "back water" extended, cast the net, and select a camping place for the night; while the

Judge and I should cross the wooded heights, until we arrived at the Nodaway, and hunt down that stream to the camp. Joe and Charley embarked, and the Judge and I took up our line of march across the hills. The country consisted of an irregular range of hills, forming the bluffs bordering the Missouri. The trees were expanding their buds into leaflets; violets and other wild flowers beautified the ground; chipmuncks chattered from decayed logs, or leaped across our pathway; and occasionally a ruffed grouse whirred away, as the Judge risked a long shot after him, through the brush and branches of the trees.

The entire scene was one of loveliness to a denizen of the prairie. We bagged a number of squirrels and a couple of ruffed grouse in crossing that range of hills, and arrived late in the afternoon on the bank of the Nodaway, at or near one of those small lakes or ponds in the bottom, where we spent an hour, during which time we had rare sport at "wing shooting," as the wild ducks were constantly approaching and departing from the pond. We succeeded in securing a number of ducks, and then continued our journey down the Nodaway, where we found Joe and Charley in camp in a beautiful grove, preparing supper. Joe was not an expert at hunting, his *forte* being fishing; but with Charley's gun he had managed to bring down a bird commonly called, in the

West, a "mud-hen," a species of fowl found along small streams and marshy places, somewhat resembling a small black barn-yard fowl, with feet partially webbed, and which might properly be described as a cross between a duck and a small crane. It is entirely ignored by sportsmen as not being a game bird—its flesh of a dark, astringent character, unfit for the table. Joe declared that as it was the only game he had killed, he designed to prepare it and broil it for his supper. Charley declared he could not eat it, and the Judge volunteered sundry expressions descriptive of the bird not found in any work on ornithology, and not very complimentary to the bird's pedigree; but all to no purpose, as Joe insisted he would have it for his supper, and placed it on a forked stick facing the fire, before he commenced preparing supper for us.

The grove, the silent water of the Nodaway, the shadows of night closing around us, with the mild rays of the moon penetrating the spaces between the branches and checkering the landscape with spots of light, made the whole scene romantic, interrupted only by the unwelcome music of a musquito as he reconnoitered the vulnerable points about our ears.

As we assembled for supper, Joe deposited his broiled bird on his tin-plate. It resembled a dark-colored piece of bark warped by alternate rain and sunshine. After he had eaten a portion of his bird, the significant nod by Charley was the signal for the Judge to interrogate Joe as to the quality.

"Joe, how do you like the mud-hen?"

"Well," said Joe, "it tastes like tansy bitters with the bitters left out!"

We finally prevailed upon him to discard the unsavory carcass, and join us in dispatching the fish and squirrels he had so neatly prepared and cooked for supper, which he did, after paying his respects to the demijohn, which he insisted was necessary after his attempt to eat the mud-hen.

Supper over, we put out the lines for fish, and after the usual story-telling around the camp-fire, spread our blankets for sleep. When the others had retired, I sat upon a log and meditated upon the surrounding scenery. My memory floated back to the journal of Julius Rodman, which I had read when a boy, wherein that explorer described his ascent of the Missouri river at the close of the eighteenth century, in which he described the Nodaway, its beautiful scenery, grapes and wild fowl along its banks. I also remembered that at a later period Lewis and Clarke had passed up the river, moored their boats at the mouth of the Nodaway, and probably had spent a night in the same grove of ancient elms in which we were camped. My revery was suddenly interrupted by distant thunder in the west, and on looking in that direction I beheld a dark storm-cloud rising slowly and majestically, gradually obscuring the light of the moon, while the far-away flashes of lightning denoted an approaching storm. I roused my comrades, and we hastily prepared a shelter by placing forks in the ground, with poles laid across, covered with brush, as a partial protection from the rain, which soon came down in torrents, and the lightning flashed among the trees, followed by heavy thunder. Our shelter proved a failure, as the rain penetrated through it, and we were obliged to roll up our blankets and cover them with a buffalo-robe. Joe, thinking the lightning might strike some of the trees beneath which we were sheltered, retired to a thicket of underbrush some rods distant, taking the demijohn with him. The storm lasted about an hour, and as it cleared away we replenished our fire with all the available combustible material at hand.

Reader, if you have ever camped out during a thunder storm at night you can appreciate our situation at that time: fire nearly out; guns and ammunition, if not seriously damaged, certainly in bad condition; provisions moistened; blankets damp, and buffalo-robe soaked.

As the storm rolled away to the eastward, leaving a clear, star-lit sky, with the moon disappearing behind the western hills, Joe emerged from the thicket, Charley and the Judge filled their pipes, and I replenished the fire with wood; and we listened to the stories of the Judge until our blankets were dry, when we all retired to get a few hours' sleep. Sometime during the small hours of the night, Joe became restless, arose from his blanket and began to move about the camp, as though morning had dawned, and it was time to be cooking breakfast. His movements awakened the Judge, who evidently had been dreaming of Romeo and Juliet (he being the poet of the outfit), for he exclaimed: "Joe, wilt thou be up so soon?—'tis not yet near day. 'Twas the night-owl, and not the *mud-hen*, that pierced the fearful hollow of thine ear."

"Confound the mud-hen!" said Joe; "I was looking for the demijohn."

About sunrise, we were awakened by Charley, who was taking fish from the lines we had out during the night; and Joe soon prepared an excellent breakfast.

All nature was joyous and brilliant after the storm. The freshness of the morning air, the flowers bright and beautiful, the light of the morning sun, and the perfume arising from the dewy verdure, as the mists cleared away over the tree-tops and lost themselves in the distant blue sky, gave us new energy after a night of doubtful prospects.

Charley claimed the right to hunt with the Judge on that day, and insisted that I should assist Joe with the boat. That agreed upon, the Judge and Charley set out for the ponds and hills, and Joe and I embarked in the boat and rowed down stream, halting occasionally to set the net.

About midday, having caught a number of fish, we landed in an eddy just below the mouth of the Nodaway, at a sandy beach near the timber, with the view of preparing dinner. Joe conveyed the provisions and cooking utensils on shore, while I went to the timber to collect wood to make a fire. As I approached a fallen tree, I discovered a small rattlesnake coiled ready for attack. Thinking Joe would desire to see the snake, I called to him, telling him of my discovery. Joe, not hearing me distinctly, thought I was bitten by a snake, and in his haste to get the demijohn from the stern of the boat, upset or careened the craft, and the demijohn, falling into the water, was conveyed by the expanding waves to the current, and floated away, despite Joe's herculean efforts to secure it. Seeing Joe in the water, and his difficulty, I hastened to his rescue. When I arrived on the scene, Joe, with wet garments, was standing on shore looking sorrowfully at the demijohn, as it was bobbing up and down, far away in the current of the Missouri river. "I don't care so much for the demijohn as for the contents," said Joe. Then recurring to the snake, he added, "Where did the snake bite you?" I could not refrain from laughing, but informed him that I was not bitten, and said that we were even, barring the difference between being mud-bound in the Tarkio and immersed in the Missouri. Joe replied with some frontier phrases and ludicrous epithets. Charley and the Judge arrived, and added to the merriment at Joe's expense; but he was sullen, and declared the day's sport at an end, whereupon Charley produced a flask from his game-sack, after which Joe prepared dinner.

After dinner, on beholding our teamster on the Kansas shore, we prepared to cross the river. It was late in the afternoon when we arranged to start homeward. We estimated our profit and loss by the following inventory: *Profit*—Two days' genuine sport, a goodly amount of game and fish. *Loss*—Joe's demijohn.

As we rode homeward, Charley smoked, the Judge quoted poetry and sang "Home, Sweet Home," while Joe moodily sat in the wagon, and at intervals indulged in some frontier expressions about the loss of his household treasure, vaguely intimating that I was the cause of the aforesaid loss.

Such was life and a part of the amusements during the first settlement of Northern Kansas. Looking back through the dim vistas of the past to those golden days, when the hardships of our frontier situation were ignored for a day's sport, I agree with the poet—

> "There's a feeling within us that loves to revert
> To the merry old times that are gone."

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CHAPTER 5.

SAMP NODKINS.

Where is the early settler of Northern Kansas who has not stood upon the desolate, gray sand-bar on the west bank of the Missouri river, opposite St. Joseph, in stormy weather, waiting for the return trip of the ferry-boat that plied between the two shores, while teamsters sat upon their loads of grain, holding in check the restless horses, and foot passengers paced to and fro, whistling fugitive airs, that no sooner escaped their shivering lips than they were borne away in faint echoes by the wind, to accompany the roaring of the current of the turbid river? The bleak wind from the north whirled the sand in eddying gusts or at obtuse angles the entire length of the bar, or penetrated, with a dismal sound, the thicket of straggling cottonwoods and willows that grew along the alluvial bottom near the perpendicular, treacherous bank—huge portions of which at intervals fell with a splash into the water.

As the wind increased in power and velocity, the miniature waves of the river increased in magnitude to surging, white-crested billows, creating a doubt as to whether the boat would make another trip in the next twelve hours. The patient, chilled pedestrians paced to and fro amid the drifting sand, while the muttering imprecations of the disgusted teamsters added to the feeling of disappointment in not being transferred over the river to the busy streets of St. Joseph, in full view.

On a bleak day in the latter part of April, 1860, I stood upon that sullen, gray bar, waiting for the return of the boat. The wind hurled the drifting sand in every conceivable direction along the bar, and among the cottonwoods and willows, blowing my hat off, or dallying in a rude, violent manner with the skirt of my threadbare coat, then passing onward among the bending cottonwoods and willows, blending a disconsolate sound with the roar of the raging waters, that were rolling in billowy majesty, as if to defy the power of man; while the boat seemed to be stationary on the other shore, the pilot not daring to venture across the turbid and angry current with his frail craft.

A number of immigrants had crossed and were waiting for the remainder of their party, who were on the other shore. They were from Indiana, on their way to Kansas, to settle on the frontier. There were several covered wagons loaded with every species of household fixture in use during that period, including mildewed bedsteads, rickety chairs, rusty stoves, decayed washtubs, old-fashioned kettles, pots and pans, and a general stock of old trumpery that had decorated the cabins in the Hoosier State for a generation. Although straggling blades of grass were issuing from the sandy soil and decayed leaves among the dwarfed willows, denoting spring-time, the chill April wind from the north caused a disagreeable flapping of the unfastened part of the wagon-sheets, and the purple circle visible about the quivering lips of the immigrants and their dust-covered faces denoted that their situation was uncomfortable. To add to their discomfort, a number of cows and calves, as thin in flesh as the seven lean kine in Joseph's dream, persisted in penetrating the thicket of willows, notwithstanding the exertion of some small boys and over-grown girls, who had charge of them.

I ascertained who was the leader of the outfit, from the authority he assumed and the commands he gave, which were implicitly obeyed; and as he is the subject of this chapter, I here append a brief description of him as he appeared among the immigrants on that bleak April day, twenty years ago.

In height he was six-feet-six, more or less—possibly less. His forehead was low, from which his head retreated at an angle of forty-five degrees, terminating at a point about which the hair seemed to form a circular, bristle-like growth about a spot resembling a small whirlpool. His arms were of great length, with large hands and thick-jointed fingers in proportion. A scanty, cream-colored beard adorned his chin, with a few scattering volunteer productions along the side of his face at a convenient distance from his ponderous ears. His limbs seemed to be out of proportion to his body, which doubtless only appeared so from the fact that his blue jeans pants, either from shrinkage in length or a desire to dissolve partnership with his sun-tanned ankles, terminated midway between his knees and an enormous pair of cow-hide, snuff-colored shoes, that resembled a traveling tan-yard or migratory shoe-shop. He wore a red-flannel shirt, without any vest, over which was a blue-jeans coat, the dividing line of which between the skirt and body of the coat, as indicated by a zig-zag seam, two brass buttons and two large pockets, was midway between the point adopted by fashion and his shoulders, while the skirt was economically curtailed to a ridiculous degree of shortness, scarcely extending to that portion of his person that a fashionable coat-skirt is intended to obscure.

He approached me, and with that inquisitive address peculiar to an immigrant on arriving in Kansas or on the western border at that time, made the following inquiry: "Do you live in this 'ere neck of woods?"

I replied that I did.

"Well, stranger, I am wagon-boss of this 'ere outfit of immigrants, and some of them want to go *fur* enough west in Kansas to get Government land, without seeing Injins; but as for me, I have practiced law in Indiana, and I would like to settle near a county-seat, where I can open a farm and also practice law."

With a piercing, cunning expression on his godless countenance, he inquired my name and what I "follered for a livin'." I gave him my name, and informed him that, having been admitted to the bar in one of the States, I had come West to grow up with the country; but since I had been in Kansas, failing to get a practice sufficient to support me, I had engaged in chopping cord-wood for steamboats that ran up and down the Missouri.

"Give me your hand, stranger!" said he, grasping my hand. "I am a member of the bar; and have chopped cord-wood in the beech-woods of Indiana, and have left my wood-chopping many a time to attend court." And thereupon he gave me an elaborate account of his forensic efforts at the bar—how he had vanquished Hendricks, Pettit, Morton and other gentlemen of legal ability in Indiana. By way of returning the compliment of his inquiring my name and occupation, I asked him his name, and he replied: "This 'ere outfit of immigrants call me Samp Nodkins, and my name *is* Nodkins;

most every one in Indiana knows the Nodkinses, leastways they ought to, for I have practiced law there, and my father was a *jestice* of the peace." Whether his christian name was "Samp" or a nick-name among the immigrants, or a contraction of the word "Sampson," I did not then learn, but from the extraordinary power of his lungs manifested in his speeches to juries before justices of the peace, I concluded his christian name was Sampson, doubtless named in honor of the muscular hero who levied war against the Philistines.

I informed him that law books were scarce in Kansas, and expressed the desire that he would occasionally permit me to peruse his valuable law books that I supposed an old practitioner, as he claimed to be, had brought with him, should he conclude to settle in the county. He pointed to an old-fashioned lidless chest in his wagon, with the emphatic remark, "There is all the law I rely on in my practice, and you are welcome to use it if I settle in this county." The books, or book, for there was but one, as I afterward learned, consisted of Blackford's Indiana Digest, old edition. "But," said he, "who is your Judge?" "Judge P——," I replied. "Judge P——!" He's from Indiana, and I know him! And if he is the Judge of this *deestrick*, I will settle in this county." I learned afterward that the only time he had ever seen Judge P—— was when the latter, while traveling the circuit as a lawyer, had stopped for dinner once at the cabin of Samp's father, when Samp was a rustic youth.

We separated, and Samp settled in the county, among the bluffs along the Missouri river. He was not idle, and by his colloquial power he induced the neighbors to believe that he was capable of managing all their legal affairs. Scarcely had his cabin been completed, when he was employed to procure a divorce for one of those temporary subjects of neglect in the then frontier society, irreverently called "grass widows," whose husband, as she thought, had been unnecessarily delayed on a freighting trip across the Plains. Without consulting the statutes of Kansas—the old "Compiled Laws"—Samp had hastily and unwisely concluded that a divorce was as easily obtained in Kansas as in Indiana, and had written his petition on a large sheet of "foolscap" paper, evidently by candle-light in his cabin, as certain oily marks, ink-blots and other evidence of the stringency of the times appeared on the irregularly-folded document which he had filed, and caused a summons to issue thereon against the defendant, who was then far away on the Plains, or at the mountains. In due time the sheriff returned the summons, indorsed, "The said defendant not found in my county." After causing the summons to issue, Samp had failed to pay any more attention to his case, supposing he could obtain judgment by default for a divorce, in the same manner as in a civil action for debt, and his petition was not verified by the affidavit of the plaintiff.

Meantime the defendant was traversing the sun-dried trail of the plains, or whiling away his lonely hours in solitude around the camp-fires in the mountains, and had as little knowledge of the suit pending against him as a Highland shepherd had of the bounty paid for wolf-scalps by a county court in Kansas; while the plaintiff was dispensing her smiles indiscriminately among her friends in the vicinity, relying upon the legal acumen and potent ability of Samp Nodkins to dissolve the union between her and her wayfaring husband, as the shortest route to a free, unmarried life.

I attended court at the next session, to try an appealed case from a justice's court, and, upon arriving at the court house, found Samp Nodkins seeking some one to introduce him to the Judge. Samp said, "I think the Judge would know me, but I desire an introduction." It was a rule of court that an attorney holding a certificate of admission in another State could be enrolled to practice on motion; and upon stating that to Nodkins, he declared that he had forgotten to bring his certificate with him (raising a doubt in my mind whether he ever had one). But he insisted that he had been admitted to the bar in the courts of Indiana.

When court was called and announced to be in session, in the long-drawn-out common-law style, by the bailiff, I made a motion, by request, to have Mr. Nodkins enrolled or admitted to practice, informing the court that the applicant had neglected to bring his certificate of admission by a court of competent jurisdiction of the State of Indiana (throwing in the name of the State by way of an extra inducement for the Judge to recognize Nodkins). The Judge looked over his glasses a moment at Samp, and then appointed a committee, myself among the number, to examine the candidate, stating that we could do so after adjournment of court for the day, and make our report when court convened the next morning. Samp cast a disappointed, imploring look, first at the Judge, and then at me; but the decree had gone forth, and it would have been at the risk of a fine for contempt to request a modification of an order, when once made by Judge P——. He was an excellent Judge, save in one respect—he was irritable, and severe in his reprimands of attorneys and officers of the court, when business did not run smoothly; the least interruption or confusion in the court room or in the street was the signal for a severe reprimand of the bailiff for not preserving order. The incessant, violent winds that blew in those days (which have since been pensively described by journalists and travelers as "gentle zephyrs") annoyed the

Judge beyond endurance, and as his weight was a trifle less than three hundred pounds avoirdupois, in going from his hotel to the court house the wind seemed to circle around him, whirling the dust in his face, and banishing every expression of kindness from his stern and rigid countenance, as he ordered court opened. He threatened to fine the bailiff for not keeping order, on hearing the croaking of a flock of wild geese flying over the court house, mistaking the noise they made for the hilarity of urchins about the court-house door. He abruptly adjourned a term of court because of the inability of the bailiff to stop the clattering of the window-sash in the court house on a windy day. Withal he was a sound lawyer, a just and upright judge, and when off the bench was a pleasant, social companion—a gentleman of the old school, possessing rare colloquial powers.

On the day the committee was appointed to examine Samp Nodkins, the criminal docket was called and the cases continued, the county attorney not being ready to try them. The civil cases set for the first day were then called for default. As Samp's case was set for that day, he whispered to me to attend to his case, and take judgment for a divorce by default. Supposing that Samp had caused the proper service to be had upon the defendant, and had evidence of the marriage and desertion, and sufficient evidence to prove the averments in his petition, I called for the papers, with a view of reading the petition to the court, and then producing the evidence. The petition was a remarkable document in length and breadth, and resembled a large sheet of white wrapping-paper that had inclosed several pounds of butter from a grocery store. I read it through with some difficulty, and then requested of Samp the names of his witnesses. He replied that he had no witnesses!

"What is the service upon the defendant?" inquired the Judge. I was about to examine the papers to ascertain, when Samp replied that "the return of the sheriff showed that the defendant was not found in the county." I moved for continuance for service. Samp sprang to his feet, and demanded judgment by default. The Judge replied that no such judgment could be rendered. Samp continued with his ear-deafening voice. The Judge ordered him to take his seat, or he would fine him for contempt. Samp persisted, and was preparing to read from his Indiana Digest. "Take your seat, sir!" said the Judge. "Mr. Bailiff, preserve order!" "Order in the court room!" cried the bailiff. "I fine you for contempt," said the Judge to Samp. I endeavored to induce Samp to take his seat, which movement the Judge mistook as encouraging him to proceed, and with a scowling, withering look at me threatened to fine me as the author and cause of the trouble; and as I had no money with which to pay a fine, and could no longer repress my smothered laughter at the ridiculous situation, just as the Judge ordered the bailiff to arrest Samp I dashed out of the court room, mounted my horse and rode swiftly away, to engage in the rustic exercise of chopping cord-wood.

I learned afterward that Samp's fine was remitted, owing to his inability to pay it, but he never forgave me for deserting him, not only in the divorce case, but for not meeting with the committee appointed to examine him for admission to the bar. He was admitted to practice, however, by what means I never knew.

Samp was a staunch Republican in politics, and did yeoman service in the glee club, in the campaign of 1860. His voice, trained on the highest key by practice at camp-meetings in Indiana, when accompanied with a practical demonstration of Sam. D——'s musical talents in singing the parody on the old hymn, "Where now is our good old Daniel?" by which the Democratic party was musically consigned on a voyage to that mythical region known in Western political parlance as "Up Salt river"—'twas music that awakened the hills and valleys from their solitude at night; while their stirring vocal music reminded one of an old-time revival at a camp-meeting, barring the difference in sentiment between the pious language of the original hymn and the parody composed for the occasion.

That was a memorable campaign, and well do I remember the first meeting which transpired at White Cloud. After the speeches by the candidates, and the hilarious entertainment at "Liberty Hall" by its hospitable occupants, near midnight we assembled in front of the hotel. The moon had descended behind the grand old hill overlooking the village; eastward stretched the winding, sedgy valley of the Missouri river, bordered by the tall cottonwoods, the gray branches of which were brightened by the fading moonlight, and the song commenced. When the chorus was reached, the voice of Samp Nodkins, higher than the others, could be heard far up and down the valley, starting the wild fowls from the marshy pools of "Rush Bottom," while the dusky, belated travelers to their huts on the Reserve, mistook the echo for the voice of the "Great Spirit," or their departed chief, whose memory was embalmed in the name of the town, calling them to the happy hunting-ground.

Those were not only halcyon days, but halcyon nights, when that old song rang out clear on the midnight air all along the river border, at the base of the traditional promontory at Iowa Point, among the cottonwood shanties of Charleston and Columbus, and beneath the shadow of the stately elms that stretched their huge branches over Main street, in Elwood.

The end of the campaign was a victory for the Republican party. But the comrades and companions of those early times are separated. Samp Nodkins and others have gone from earth to "that undiscovered country from whose bourne no traveler returns." One is doing duty in a foreign country, and others still remain in the county, as if loth to leave the land of their adoption and first settlement in the troublous times of the Territorial days. Among the latter is the pioneer editor whose weekly paper still notifies his old companions and friends of his whereabouts.

> "Still o'er those scenes my memory wakes,
> And fondly broods with wiser care;
> Time but the impression deeper makes,
> As streams their channels deeper wear."

CHAPTER 6.

NORTHERN KANSAS BIRDS.

I am not an ornithologist, but this book would be incomplete without a brief description of the game-birds and some of the feathered songsters of Northern Kansas.

First is the wild-turkey, that noble American bird, which Franklin desired to adopt as an emblem on the flag. This bird is truly American, being first discovered in his native forest on this continent. From the shores of the great lakes of the north to the last cane-brakes of the south, and from the head-waters of the Hudson to the foot-hills of the Rocky Mountains, wherever a grove of timber skirted a ridge or bordered a stream, this native bird found a dwelling-place, long before Captain Smith explored the James river or the Puritans landed at Plymouth Rock. His gobble in the deep wilderness guided the stealthy Indian to his retreat, and for more than a century has caused the frontier settlers to smile, when the supply of game was diminishing in their cabins. While this bird's domestic barn-yard relatives have formed the basis of Thanksgiving dinners for more than a century in New England and elsewhere, the native wild-turkeys have occupied a conspicuous position on the rustic, home-made tables in the rude cabins on the Western frontier, around which gathered the family, relatives and friends.

Occasionally a Yankee whose perseverance had induced him to immigrate to the frontier for the purpose of securing land for his children, still clinging to the traditional custom of his juvenile home in New England, on Thanksgiving day assembled his relatives to feast on a native gobbler he had succeeded in bringing down with his rifle, in the forest or about his remote corn-field, for the occasion. The blessing he invoked upon his household and relatives, and the thanks he returned for the bountiful repast, as they assembled around that rustic table in the primitive cabin or dug-out, was as piously and reverently announced and gratefully uttered as the thanks he had heard around the tastefully decorated festal boards in his ancestral home in the East.

When Northern Kansas was first settled, the heavily-timbered and woodland bluffs bordering on the Missouri river, and the timber along the streams in the interior, abounded with wild-turkeys. During the spring and summer they remained in the dense forest and thickets, and in early autumn visited the wheat-stubble and oat-fields, and as winter approached they often appeared in large numbers, as if on a foraging expedition, in the remote corn-fields. Then followed rare sport for the hunters among the settlers, besides supplying the table with delicious game. To bring down a wild-turkey from his perch on the highest tree, or with shot while on the wing, was a feat of no ordinary marksmanship.

During the spring and autumn the wild-geese and brant stopped for a month or more, during their migration north or south, alighting in the fields by day to feed on the green wheat, and remained about the sand-bars and eddies of the Missouri at night. As they flew to and fro they were an excellent target for an expert at shooting on the wing, and many a noble gander has disarranged and demoralized the triangular flight of the flock by an involuntary tumble to the earth from a well-directed shot of the sportsman.

Wild ducks in great numbers were migratory companions of the geese, with the exception that the ducks usually remained longer in the spring, after the geese went north, frequenting small streams, ponds and lakes.

There are several species of wild ducks in Northern Kansas. The mallard resembles the domestic or barn-yard duck. The male mallard has a green head, and very much resembles the barn-yard drake. The female is of a yellowish-brown color, with spots or bars, like the female of the domestic duck. They breed in limited numbers in Northern and Western

Kansas, but a very large majority of them go to the far north late in the spring, returning in September, and remaining until the streams are frozen, when they continue their flight to the southward.

The canvas-back ducks are less numerous in Northern and Western Kansas than the mallards, but are fine game birds. I have seen a number of them about Lake Sibley and the salt marshes in Cloud and Jewell counties.

The widgeon is frequently found along the small streams and about Lake Sibley and the salt marshes.

The pin-tail ducks are abundant in the spring, usually associating with the mallards.

But the most delicious ducks for the table, though small, are the blue-and-green-winged teals, which are abundant in Northern and Western Kansas.

The wood ducks are found along the Missouri river and streams that are bordered with timber. They are beautiful birds, crested, with purplish-green heads. They differ from other ducks in their habits, building their nests in hollow trees, and rarely mingle with other ducks, save with the teals.

A brace of ducks was a trophy of no small value in the game-bag of the weary sportsman, during the early settlement of Northern Kansas.

The noblest bird of the prairie is the pinnated grouse, or prairie chicken. It is a larger bird than the ruffed grouse of the Middle States, and its flesh is darker. The color of the pinnated grouse is light brown, with dark brown spots on the back and uniform bars on the breast. The males have a bunch of dark feathers on the front part of the neck; and a yellow or orange-colored sack on each side of the neck, which they have the power of inflating; and in the spring, during the mating season, they assemble on some bare spot of ground, making a thrumming noise with their wings that can be heard at a considerable distance. Their nests are usually made in the prairie-grass, containing from twelve to fifteen eggs, of a light color, with small spots of a darker hue. In Northern Kansas they hatch in May, and if the season is favorable the young birds are two-thirds grown by the first of August, when the proper shooting season begins. The young remain in the original covey, unless misfortune befalls them, until late in autumn, and when flushed will scatter in different directions, alighting at no great distance, when they can be flushed by a dog separately, by which means the sportsman can secure the whole covey, permitting the parent bird to fly away and mourn for her lost brood in lonely solitude.

Grouse-shooting on the prairie is rare sport. The best plan is for two or more sportsmen to procure a light wagon, with a competent driver, and drive over the prairie, letting the dogs range far and wide to the right and left of the team. A well-trained dog will range at the proper distance, and when he scents a covey of birds will stop suddenly, with a peculiar stationary attitude, and generally one fore-foot raised from the ground, and no confusion or noise will disturb his motionless position, save the voice of his master, as he approaches and urges the dog forward to flush the birds. If the birds are not easily flushed, the faithful animal moves forward cautiously in the direction of the covey until they arise, and then the sportsmen take their shots; but the dog remains motionless until bidden by his master to move forward, or "Find dead birds." If the covey is all flushed, the birds generally alight at different points, and can then be flushed separately.

In autumn, when the birds have attained full-grown size, flocks embracing several coveys congregate about the stubble-fields, and pillage the corn-fields, or on and about the green wheat-fields; during which season they are wild and watchful, and rarely ever lie close for a dog, but most frequently rise and sail away in their freedom before the sportsman is near enough to bring them down, unless he risks a long shot. The gun must be charged with larger shot as the birds become full grown. Occasionally during the Indian-summer days, an old bird, in tall grass, will lie close for a dog, when suddenly he rises, often near the sportsman, and with a quick movement flies away toward an adjacent ridge, uttering his defiant "cluk-cluk-cluk," but it requires a good shot to bring him down. As the season advances and the weather becomes cold, in the early morning they are often seen in large numbers upon the branches of the trees along the creeks and ravines, apparently enjoying the morning sunshine.

When traveling over the extensive prairies of Northern Kansas, with nothing to disturb the monotony of the scene, the occasional flushing of a pinnated grouse causes a transient thrill of pleasure; and as he sails away in his free flight, reminds one of Hogg's lines—

"Bird of the wilderness,
Blithesome and cumberless,
  Gay be thy matin o'er moorland and lea!
Emblem of happiness,
Blest be thy dwelling-place—
  Oh, to abide in the desert with thee."

The sharp-tail grouse resembles the pinnated grouse in size, but its color is lighter, and it has no gular sack on the neck. It is feathered to the first joint of the toes, while the pinnated grouse is feathered only to the toes. The habits of the sharp-tail grouse are the same as the pinnated grouse—

making their home on the prairie, feeding on the same food, and though not so numerous, are often found with the pinnated grouse.

The quail of Kansas is too well known to require a minute description. From the Missouri river to the extreme western settlements in Northern Kansas, quails are found in great numbers in the groves of timber and about the stock-yards and fields. If not disturbed or frightened, they will come near the dwelling house, and are often seen in the barn-yard, picking up the scattered grain. During the hatching season the male bird is often seen perched upon a fence post or wheat shock, whiling away his lonely hours, at short intervals piping forth his familiar "Bob White!" regardless of the rattling and clattering noise of the reaper driven by the farmer in an adjoining field. The young birds are generally full grown by the first of October, when quail-shooting begins by permission of the laws of the State.

As a general rule, a dog well trained for setting and flushing grouse, is good for flushing quail. There are exceptions, however, and a dog that has been trained principally for quail-flushing, is not at all times an expert at grouse-flushing. Some sportsmen prefer quail to grouse-shooting; but owing to the activity of the flight of the quail, it requires a better and quicker shot to bring it down than a shot at grouse, as the chance is often taken through brush or timber. New beginners and inexperienced sportsmen generally prefer grouse-shooting.

It is grand sport to flush a covey of quails in the timber, causing them to alight in the prairie, and then flush them separately with a careful dog, and bring them down sharp before they reach the timber. Let two or more genial, social sportsmen, on a mild October day, bag a number of quails, spread their luncheon in a grove, build a fire, and each broil a couple of birds on forked sticks at the fire, and they have a dinner that duplicates a meal at the most fashionable restaurant. The guns leaning against a tree, the dogs bathing in a stream near by, the landscape and surrounding scenery, the healthful breeze, the lunch in the woods, the story, joke and hilarity—all combined, make it an occasion of real enjoyment long to be remembered by the participants. No true sportsman will ever net a quail or trap a grouse. A sportsman never shoots grouse or quail for market, and rarely shoots more birds than he desires for his own table and as a gift to his non-sporting friends. As a general rule, in Northern Kansas, more quail are annually destroyed by netting and trapping for market than by all the sportsmen, who procure their birds by wing-shooting for the love of the sport.

Another game bird of the prairie in Northern Kansas is the curlew, a species of upland snipe or plover, smaller than the grouse, of a snuff color, with long legs, and a bill from four to six inches in length, with long wings. They are generally found in flocks or coveys on the upland prairie, in the spring, on newly-burnt prairie, or where the grass is short. I have seen them in pairs. Being wild and watchful, they cannot be flushed by a dog, and the only successful manner of shooting is to drive a wagon until opposite the flock, or by the solitary hunter in a seemingly careless manner approaching on foot in a diagonal direction, and as the birds arise risking a long shot to bring one down, the others flying to an adjacent ridge with a shrill-screaming whistle. It is a feat to bag a brace of these birds out of a flock. Their flesh is of delicate flavor, of a lighter color than that of the grouse.

The plover is a small bird, with long bill and a body formed like the curlew, but much smaller, with white breast interspersed with small spots, and a dark-gray color on the back and upper surface of the wings. It is the smallest of the game birds of the prairie, but its flesh is delicious. In the spring they appear in large numbers, and frequent ground that has recently been burned over, along the roadside, and in the short grass. In the early spring their long-drawn-out whistle is heard over the prairie, denoting that the warm spring days have come. They fly rather swiftly, and when they alight, after touching the ground, make a peculiar bow-like motion with their wings. A sportsman can approach within a few yards of them before they arise, and as they fly away are an excellent target for wing-shooting. They are migratory, going south in autumn and returning again in the spring. Their flesh is as delicious as the quail, but true sportsmen in Northern Kansas generally ignore them on account of their small size; and it is well, as they should be permitted to multiply as destroyers of grasshoppers and other insects, thereby aiding the farmer, for they feed largely on those pests.

The feathered songsters of Northern Kansas are numerous. The lark is the harbinger of spring and warm weather. As the bright, warm spring days appear, his melodious notes are heard at early dawn on the prairie and about the farm; and frequently he perches upon the garden gate or housetop, and sends forth his morning song to awaken the drowsy landscape and the inmates of the dwelling. They remain during the summer, hatch and care for their young, make war on the insects, go south in the autumn, and return again in the following spring.

I have not yet seen many robins west of the Blue river and its tributaries, but they are numerous in Northeastern Kansas along the timbered streams, and about the orchards and groves surrounding the farm houses. It is a pleasure to have them about the orchards and groves, building their nests, rearing their young, and flitting among the branches or hopping along on the ground in search of insects. A farmer can well afford to permit them to carry away all the cherries and fruit they desire, for their company, and as a partial recompense for the insects they destroy.

The jay, next to the hanging-bird or Kansas goldfinch, has the brightest plumage of the small birds of Northern Kansas. It is of the same size and color of the jay of the Middle States. They are numerous among the timber along the streams or groves about the farms. They are not migratory, but remain during winter. They feed on berries, seeds and grain in the fields during summer, and in the winter pillage corn-cribs and granaries. They are rather destructive and warlike, and I have often seen them waging war on other birds, and even giving battle to large hawks when they invaded the grove inhabited by the jays. The jay is a beautiful, strongly-formed bird, but not a pleasant singer; his notes are harsh, with a constant chatter when danger is near.

The redbird is a winter bird, remaining in this latitude during winter. The male is of a bright-red color, crested, with red beak; the female a pale red, or light-brown color. They inhabit the timber along the streams in Northern Kansas as far west as the Little Blue river and its tributaries. They remain in the woods during summer, and in winter, when the snow covers the ground, they are often discovered purloining corn from the crib, when they can be caught in traps for caging. They make a beautiful household pet when sufficiently tamed to become accustomed to the cage, and on rainy days, the gloomiest of the year, when outdoor scenes are not inviting, the lively notes of the redbird sent forth from his cage in the hall—translated as follows: "Wet year!" "wet year!" "wet!" "wet!"—serve to revive the drooping spirits and banish melancholy reflections.

The hanging-bird, a species of goldfinch, is an inhabitant of Northern Kansas. It is called the hanging-bird from the singular description of its nest, which is composed of moss and fibrous material, suspended from a twig by two threads or fibers ingeniously attached to the twig or branch. The male bird is of a brilliant-red color, with black wings; the female is light-brown, with gold-colored wings. They are beautiful birds, and tolerable singers. They flit among the leaves and branches in search of insects, while they continue their chattering as if in conversation with each other. They often pay a hasty visit to the shade trees about the farm house, and if cherries or other berries are in the vicinity, they carry away a few as a partial compensation for the exhibition of their beautiful plumage among the farmer's shade trees and shrubbery. Anyone who admires birds, appreciates the daily visits of the hanging-birds.

During the spring and summer, blackbirds appear in large flocks on the prairies and about the farms. In the spring of 1877, when the grasshoppers had hatched in great numbers, on a lovely Sunday morning, early in May, I was awakened at early dawn by a confusion of sounds, and on going into the yard, I beheld countless numbers of blackbirds on the ground, devouring the young grasshoppers. The alleys and vacant lots of the town (Concordia) seemed to be one living mass of birds. I approached very near them, and observed them closely. There was no doubt of the fact that they were breakfasting on young grasshoppers. On the succeeding morning they again made their appearance as numerous as before, and remained some two hours. The grasshoppers disappeared about that time, and not enough arrived at maturity to do any serious damage to the crops. Some attribute their decay and destruction to the wet, damp weather, and heavy rains that prevailed about that time. I am confident, however, that the most destructive agency was the blackbirds; and I am of the opinion that in Northwestern Kansas, in the spring of 1877, more young grasshoppers were destroyed by the blackbirds, larks and plovers than by any other one cause. The male blackbird has a beautiful orange color on his wings, noticeably visible when he is flying.

There are many other small birds in Northern Kansas, too numerous to mention, that sing sweetly—particularly the little prairie sparrow, that is so often seen perched upon the top of a sunflower or other wild weed of the prairie, sending forth his musical notes.

The birds that should be appreciated more than they are in Northern Kansas, are the little snow-birds of winter. Whenever a cold snow-storm is imminent, the little snow-birds suddenly appear in vast numbers, flying about or hopping along on the ground, in the road, street, or about the barn-yard. They only appear in the coldest weather, or when snow covers the ground. I have often wondered what protected their little feet from the extreme cold, unless it be the texture of which they are composed by nature for that purpose. They are very tame, and will hop along only a few feet from a person walking. They disappear when winter is past, and they must go far north to the cold regions during summer, as they reappear each winter with the cold weather. They are pleasant and welcome visitors about the barn-yards, streets and commons when the summer birds are gone, and the bleak winds of winter cause the brown prairie to look like a cheerless, dreary waste.

There are over two hundred different species of birds in Kansas, many of them useful as insect destroyers. What would the isolated groves of Northern Kansas be without birds? Gloomy haunts, with nothing to disturb the melancholy silence save the sighing of the wind among the branches.

CHAPTER 7.

THE REPUBLICAN LAND DISTRICT.

The act of Congress establishing the Republican Land District in the State of Kansas, was approved July 7, 1870; the boundary of which district included all the territory between the east line of range 8, east, and the western boundary of the State, and between the Nebraska line and the township line dividing townships ten and eleven. Immigrants had crossed the Big Blue river in great numbers, and the counties of Washington, Republic and Cloud were being rapidly settled; and in order to provide a land office more convenient to the settlers than the one at Junction City, at the mouth of the Republican river, the new land district was created. The land office for the new district was established in September, 1870, at Concordia, the county seat of Cloud county, a village consisting of three small cabins, situated on the south bank of the Republican river, on section 33, township 5, range 3, west.

A clever writer has said, "There is something very fascinating in public office." There may be, but I have failed to discover it. It is a species of servitude in which the honor is neutralized by a constant fear lest the occupant will receive a reprimand for every error committed, if not an absolute dismissal from his position. The unstable tenure of office under the infallible rule in American politics, that rotation in office is the legitimate custom in every political campaign, together with the intrigues of the "outs" to displace the "ins"—especially those "outs" who imagine they have been ingloriously "left" by an ungrateful republic—requires the utmost vigilance on the part of an officer to maintain friendly relations with those who possess the power and influence to cause removal and dismissal at any time.

The same writer says: "An honorable ambition to serve one's country is one of the highest and most ennobling passions that can govern the human mind." In the civil service, I doubt if that type of ambition was ever the controlling influence that prompted an individual, however honest and trustworthy, to accept a subordinate position in the civil department of the Government. Abolish the fees and salaries, and the subordinate offices would be declined and deserted. In the military department there are exceptions. In that department there are many, in time of war, who serve their country at the peril of life, with no other motive than an honorable ambition to serve faithfully and win distinction—

true exponents of the "noblest passions that can govern the human mind."

In addition to the emoluments of a civil office, there is doubtless another influence that ministers to the ambition of subordinate Federal office-holders—a fancy or suspicion that they are regarded by their neighbors and friends as superior in intellect and judgment, possessing a prophetic insight into the most profound subjects, and entitled to a goodly portion of the hero-worship that pervades all classes of society.

It was not the seductive influence of official position, nor a high-toned ambition to serve my country, but the potential charm of a lucrative salary, coupled with a desire to enjoy life for a time among the homestead settlers on the frontier, and to assist in the development of a neglected portion of the State, that induced me, in August, 1870, to accept the position of Receiver of the land office subsequently located at Concordia.

In addition to the preëmption law of 1841, the homestead law of May 20, 1862, with amendments, had been in force several years, and had proved a success in settling up the frontier with actual, *bona fide* settlers. The law required settlement, residence, and cultivation, thus preventing speculators from acquiring title to large tracts of land. One of the noblest acts of the then fully dominant party, was the enactment of the homestead law, by which a settler, for the sum of eighteen dollars, with five years' residence on and cultivation of a tract, could acquire title to a quarter-section of land. A number of families were enabled to secure homes in one vicinity, and thereby could support schools and churches, and establish the various social relations.

The hardships and vicissitudes of the settlers were often greater than the people of the Eastern States imagined. It was natural for those in the thickly-settled New England and Middle States, surrounded with facilities for comfort and luxury, to imagine that a homestead-settler, by procuring a quarter-section of land for a mere nominal sum, in the midst of an extensive prairie, surrounded with nature's embellishments, was a fortunate being, who with a few days' labor could convert his new possession into a garden of beauty and fields of plenty. Hence the landless in those States were induced to make the trial by the gratuitous advice of friends, and elaborate articles in newspapers, culminating in the memorable words of an eminent journalist—"Go West!" After careful observation, together with practical experience, I have no hesitancy in asserting that the man who takes his family to the frontier, and with them resides five years on a homestead, and fulfills the requirements of the law as to cultivation and improvements, pays a valuable consideration for the land. The men and women who compose the homestead settlers on the frontier deserve the approbation and charitable sympathy, not only of those who conduct the Government, but of the entire people of the older States. To them the nation is indebted for the rapid advancement of civilization westward into the wild waste, and the development of the nation's domain of uncultivated prairies, capable of yielding vast returns of wealth in time of peace, and power in times of public danger.

It became necessary to the welfare of the nation that the Indians and buffalo should be driven westward and the country developed, in order to secure homes for the immigrants from Europe, induced to seek our shore by the liberal provision of our free government; and the homestead law has proved a success to the satisfaction of its framers, in causing the prairies to be checkered with school houses and churches, while agricultural pursuits have rapidly changed the face of the country into cultivated fields and homelike landscapes.

The land office having been established at Concordia, it became necessary to have a building erected for its accommodation. At the close of the September term of court in Troy, in 1870, armed with my official papers as Receiver, I shook the dust of Troy from my feet, bade adieu to my friends, with a sigh of regret at parting with the members of the Northern

Kansas bar, with whom I had been so long associated, and started westward to a new field of labor on the frontier. My starting seemed unpropitious. Soon after the train left Atchison a violent rain storm set in, and after I arrived at Waterville, the then terminus of the road, the rain continued to pour down in torrents the entire night. The small streams rose rapidly, and Coon creek seemed little less than a foaming cataract. The rain would cease for a brief period, seemingly only to renew its fury after the interval. There was no public conveyance from Waterville west. My only dependence was to secure some kind of private conveyance; and after repeated trials I succeeded in inducing a party to take me to Clyde, on the Republican river, by paying him a sufficient sum to have secured a passage in a steamship across the Atlantic. The vehicle was an old-fashioned farm wagon, that looked as though it might have been used in the last century, drawn by a pair of small ponies, whose lack of flesh and emaciated condition denoted that they had been fed at least once a week. The roads were in the worst possible condition, with the mud averaging from six to ten inches deep, of the consistency and tenacity of shoemakers' wax. Out of compassion for the ponies I walked more than half the way, and with at least five pounds of mud clinging to each boot, I trudged wearily along, my gait resembling that of a convict wearing a ball and chain.

A commercial traveler, selling "Fairbanks's scales," was my traveling companion, going to Clyde in the interest of his employers. His conversation was frequently interrupted by his sudden exclamations about the mud, accompanied with expressive adjectives of questionable morality, to be succeeded by sundry stanzas of some fugitive old song of by-gone days, such as—

> "Now summer blinks on flowery braes,
> And o'er the crystal streamlet plays,
> Come let us spend the lightsome days
> In the Birks of Aberfeldy."

Near the close of the day we reached Peach creek, twenty-four miles from Waterville, where one of the ponies became so exhausted that we were obliged to remain over night with a hospitable settler.

The next day was a repetition of the previous one, with the addition of a rain during the night to increase the depth of the mud, and add to our discomfort in traveling. With numerous halts to pry the wagon-wheels out of the mud, late in the afternoon we arrived at Clyde. At that place I met two acquaintances—one a State Senator, the other the editor of the *Republican Valley Empire*, the only newspaper published in the Republican valley above Junction City.

After a friendly greeting and social introductions, my friends procured another team, and a number of the citizens of Clyde accompanied me to Concordia. It was arranged that we should go as far as Sibley that evening, spend the night there, and cross the river to Concordia the next morning. Among the number was Judge B——, a lawyer, whose weight (avoirdupois) was a trifle less than three hundred pounds. Whole-souled, humorous, benevolent and kind, with a never-ending fund of anecdotes, he was one of the liveliest and most genial traveling companions I had met in the West. His wit and anecdotes, being inexhaustible, revived my drooping spirits, and dispelled the gloomy forebodings augmented by my trip from Waterville to Clyde. Near sunset we arrived at Salt creek, and found the bridge washed out, and a plank laid across the stream for foot-passengers.

The glories of a Kansas autumn day were about to be enveloped with the mantle of twilight; the sun was disappearing beyond the western plains, flooding them with its golden beauty, until the commingling of emerald and sapphire dazzled the eye with its beauty; the rippling waters of Salt creek glittered and sparkled as the last lingering rays of the sun fell upon them, and they flowed onward to mingle with the current of the Republican.

The only way to cross the stream was to lead the horses across on the plank, in single file, and separate the component parts of the wagon, convey the several parts across, and put them together on the other shore. It was a difficult task, but rendered less discouraging by the wit and rollicking humor of the Judge.

In due time we arrived at Sibley, where we were entertained with that genuine hospitality that is the prominent trait in every household among the homestead settlers on the frontier. Early on the following morning we made preparations to cross the Republican river, to the town site of Concordia. The river was high—in places overflowing its banks—and the raging flood bore on its surface a large amount of drift-wood, and portions of trees were plunging onward in the swift current. The only means of crossing was an old skiff, the owner of which would permit but one of us to enter and cross with him each trip. It seemed a dangerous voyage, even in that manner. After a brief consultation it was decided that the Judge should make the first trip across in the skiff, and if the craft did not sink with him in it, it would be safe for the others. It was agreed that when the skiff had passed beyond the main current, if the Judge considered it safe for either of us to attempt to cross, he was to give us a signal by waving his hat. He sat calmly in the craft until it passed the middle of the river, when he waved his hat in triumph, and sang the well-known lines of the beautiful song—

> "A life on the ocean wave,
> And a home on the rolling deep."

In due time we were all safely transferred across the river.

Upon announcing that the land office was permanently located at Concordia, the members of the town company became enthusiastic; selections for building sites were in order, and the excitement increased as the prospect of seeing their beautiful town site occupied by dwellings and business houses in the near future grew brighter. Preparation was immediately made for the erection of a building for the land office. At that time there were only three small cabins on the town site, the land-office building, when completed, being the fourth; but as notice had to be given of the opening of the office for business, it was not opened until the sixteenth of January, 1871.

A custom that prevailed on the frontier at that time was that, upon the completion of any building, either for a business house or residence, it must be dedicated with a dancing-party, at which the young and middle-aged, married and single, among the settlers, participated with that social hilarity characteristic of frontier life. Upon the completion of the land-office building, it was resolved by the young people and the members of the town company to have a dancing-party in the building, and invitations to attend were sent to the settlers in the surrounding country. As time had dragged heavily while waiting for the appointed time to open the office for business, I attended the party. To all the invitations by the gentlemen to join in the dance I refused, and protested that I could not dance. I saw a consultation among the ladies, but I little suspected that a playful conspiracy was being arranged, of which I was to be the victim, until it was announced by the floor manager that the next dance would be a quadrille, and the ladies would choose their partners. A lady politely requested me to join her in dancing the quadrille. What could I do? With no experience at dancing, it seemed impossible to comply with her request, and it would have been impolite to decline it. In the midst of my confusion the lady politely and pleasantly informed me that it was the desire of those present that I should join in the dance, and the mischievous smile that embellished her countenance banished my indecision, and we sought our position among the dancers forming for the quadrille.

Reader, did you ever dance? If so, and you remember your first attempt, you can appreciate my situation as I stood there waiting for the music and the prompter to announce, "All to places!" aware that I should commit sad mistakes, and doubtless sadly mar the pleasure of others. Think of a man wearing number ten mud boots going gracefully through the movements, counter-movements and promenades of a quadrille, without previous training or experience! At length,

> "Music arose with its voluptuous swell,"

And the clarion voice of the prompter rang out, "Balance all!" The graceful movements of my partner, when compared with my clumsy endeavors, seemed like a fairy before a statue. In vain did I try to imitate the others. There appeared to be power of cohesion between my boots and the cottonwood floor. How I managed to go through the quadrille without interfering with the movements of others, is a mystery. I overheard my partner telling another lady that, "The Receiver may be posted in land business, but he is not a success as a dancist."

When the refreshments were brought in, the floor manager announced that the Rev. Romulus Pintus Westlake would preach in the building on the following Sunday. Rather an inappropriate time and place for such an announcement, but pardonable, under the circumstances, on the frontier.

After supper the dancing continued, and during the small hours of the night I retired; and as I stepped out of the building on the prairie grass, I heard a coyote on the hill where the school house now stands, blending his tuneless, discordant yelping with the echo of the night wind, forming a striking contrast with the music of the violin within the building. As I listened to the coyote's doleful complainings, I speculated on his probable future, concluding that ere long the greyhounds of some sporting immigrant would contest his hereditary right to pour forth his long-drawn howlings nightly on a part of the town site of Concordia.

CHAPTER 8.

THE SERMON.

The Rev. Romulus Pintus Westlake was not one of the straight-jacket, camp-meeting relics, whose sublime piety ignores a smile or a joke on Sunday, or whose week-day sanctity forbids story-telling and innocent amusements. On the contrary, he was a genial, social companion — witty, eccentric, humorous, and void of pride or selfishness. He enjoyed a good story, and could relate many laughable ones; withal, however, possessing an excellent moral character, of good habits, and temperate in all things save eating. He relished a good dinner, and if there was any one faculty in which he excelled, it was in his capacity for measuring the quantity as well as testing the quality of provisions at meal-time. He would close a sermon abruptly at sound of the dinner-bell. I had doubted the truth of the irreverent tradition that attributes to preachers a special fondness for poultry, until I saw the major portion of a large roasted fowl suddenly disappear before the conquering appetite of the Rev. Romulus.

His wit and eccentricity were of that character that, had he flourished during the reign of Charles the First, his services would have been in request as a court jester. His benevolence and charity to the poor were unbounded, and none left his cabin unsupplied.

His birth-place and juvenile residence was in Virginia, near the head-waters of the Kanawha, among the foot-hills on the western slope of the Alleghany mountains. His early education was limited, partly owing to lack of facilities, and partly to his inability to properly value the daily confinement in the log school-house of the district, as compared with the pleasure of extracting raccoons and rabbits from their retreats among the rocks or hollow trunks of decayed trees, or of lounging in the shade of the green old woods that skirted his native hills, or of gathering chestnuts in autumn, as they fell from the expanding burrs and rattled down the side of the mountain. Like all boys reared amid mountain scenery and forest shade, he was fond of fishing and hunting. To recline lazily on the bank of a mountain stream, fishing-rod in hand, or climb the ragged woodland hills, and listen eagerly for the long-drawn yelp of the fox-hound, furnished him more genuine pleasure than the monotonous recitations of the school-room; and many hours were thus spent that should have been devoted to study.

He inherited and adhered to the traditional theory of his ancestors concerning the influence of the moon upon vegetation, and believed that unless garden-seeds, potatoes and other vegetables were planted before or after certain changes of the moon, they would not produce a crop; he also held that a cabin should be shingled, or an old-fashioned rail-fence built, only during certain phases of the moon, the proper time being ascertained by resort to the dust-covered almanac suspended from the convenient nail driven into the cabin wall adjacent to the family clock.

He was a firm believer in the ground-hog as a prognosticator of the weather—maintaining that, on the second day of February in each year, the animal emerged from his burrow, and if he saw his shadow, immediately returned to his winter-quarters for six weeks, during which period winter would continue to wrap the earth in its icy mantle.

He also believed in another tradition or theory of his ancestors, commonly called "water witchcraft," which was practiced by holding a forked stick in the hands and meandering about the premises in the vicinity of the spot selected for a well, the stick-holder maintaining that, when he arrived at the spot beneath which was a vein of water, the stick would indicate it, and by the number of its revolutions would also indicate the depth of the water below the surface. He carried this superstition into practice with success among the credulous settlers in the vicinity of his homestead cabin.

He dated his church-membership from an exciting camp-meeting on a tributary of the Kanawha, when a young man, after he had "sown and harrowed in his wild oats." He served his country faithfully during the war of the Rebellion, and doubtless was entitled to be designated by some one of the military titles indiscriminately bestowed upon politicians and men of notoriety in Kansas. I am unable to learn in what capacity he served in the army, whether as chaplain or private. I infer, however, that he was in the cavalry service, from an illustration I heard him employ once in a sermon. His text was: "He paweth in the valley, and smelleth the battle afar off." Said he, "My text revives my recollection of an occurrence that happened when I was in the army, at the Battle of the Wilderness. My horse smelled the battle 'afar off,' and notwithstanding all my exertion at spurring and thumping the heels of my army shoes against his flanks, he would not move forward; and finally, smelling the battle stronger, he wheeled and carried me so far to rear that I did not overtake my command until the battle was ended; and I came near being court-martialed and punished for cowardice, all owing to my horse smelling 'the battle afar off.' He was like some church-members who remain in the rear, while the minister and zealous members are firing along the whole line at the front."

A Virginian by birth, a Christian by practice, a wit by nature, and eccentric beyond the ordinary development of oddity in the make-up of man, he was a popular preacher and circuit rider on the frontier.

Judging from the irregular boundaries of his circuit, the distance he traveled, and the promptness with which he fulfilled each appointment, I infer that he was either converted by, or was a disciple of that eccentric preacher, Lorenzo Dow. He was not handsome in feature, but he had a musical voice, which, added to his eloquence, eccentricity, zeal and enthusiasm, secured his popularity as a preacher among the settlers.

His eloquence, when he could control it, was of a high order, but the balance-wheel of his mind was of so little force that there seemed to be a total absence of the power of continuity; and frequently when preaching he would follow his text and pursue his subject logically, with powerful eloquence and convincing pulpit oratory, for a short time, when suddenly his ideas seemed to expand and diverge from his subject, and scatter in all directions. At such periods in his sermons, his voice rolled in stately measures from the pulpit, his wit sparkled, and his anecdotes and illustrations embraced all subjects between the two extremes of the sublime and the ridiculous. He would institute a comparison between the tents of Israel and the sod-roofed "dug-outs" of the homestead settlers, or liken Judas Iscariot to a "first-class dead-beat of the nineteenth century." His eloquence would flash out for a moment like a brilliant meteor across the western sky, and disappear amid the gloom of incoherent reasoning, random assertions and irrelevant illustrations. His sermons, though serio-comic, disclosed sufficient traits of his character to demonstrate the fact that his religious life was void of bigotry, selfishness or prejudice, so frequently concealed beneath the cloak of sanctity.

He was independent in politics, and bitterly opposed to human slavery, and believed the negroes would make better citizens and Christians than the Indians. He had suffered some by Indian depredations, and had an inveterate hatred towards that degenerate race.

He was opposed to attributing the grasshopper devastations and other destructive agencies to Providence, and to use his own language, "There was attributed to Providence, frequently, by disappointed men and women, more than is contained in the catalogue of inflictions."

He enjoyed life, always viewed the bright side of the picture even in misfortune, never borrowed trouble, but always encouraged faith and hope when poverty and suffering crossed the threshold of the settlers.

Such is a brief description of the Rev. Romulus Pintus Westlake, who was announced to preach in the land office building on the following Sunday. He appeared at the appointed time, and the settlers for miles around came to hear him.

Upon inquiry it was ascertained that there was not a Bible in the village, and the preacher had failed to bring one, and likewise had forgotten his text, but intimated his ability to find it if he had a Bible. After reflecting a moment, he remembered detached portions of the passages, but had forgotten the exact language, or the order in which they appeared in Holy Writ. After the usual preliminary ceremonies, he proceeded substantially as follows:

"My friends and fellow-travelers in this wild frontier region—the land of our adoption—my Christian duty impels me to appear before you and present to you that brightest jewel among the gifts bestowed upon mankind (the gospel), as taught by those who have gone before me—the 'latchets of whose shoes I am unworthy to unloose.' The regard I have for the truth compels me to admit that I have forgotten the chapter and verse, as well as the exact language of my text; but as near as I remember, it is about as follows: 'Disturb not the old landmarks, though you be hewers of wood and drawers of water;' from which I deduce and supply the following as the foundation of my remarks on this occasion: 'Hew to the line, let the chips fall where they may.' The text clearly demonstrates that those who uttered it had an eye to business, temporal as well as spiritual, Whether Solomon was right in forbidding the removal of the old landmarks, or Joshua in imposing the duty of hewers of wood and drawers of water upon the conquered Canaanites, is a question too profound for a common preacher on the frontier, and I accept all Bible teaching as true, as I find it, without adding to or subtracting from it one jot or tittle.

"But being without a Bible, I am compelled to use a figure of speech on which to base my sermon—hence my subject, 'Hew to the line, let the chips fall where they may; but disturb not the old landmarks in doing so.' Judging all the homestead settlers by myself, they are all more or less 'hewers of wood and drawers of water,' in a physical and moral p'int of view; differing from the hewers and drawers of old time in this, that the homestead settlers are free and independent, in a free country, while the old-time hewers and drawers were bondmen, or slaves. That part of the text that commands, 'Disturb not the old landmarks,' might be applied to the monuments and corner-stones erected by the surveyors when this country was surveyed, but I apply it to the moral and religious landmarks established by the church in its early days.

"A departure from the old landmarks thus established, leads to new and doubtful theories and doctrines; and little by little the first principles and original doctrines are lost sight of, and infidelity, spiritualism and kindred dogmas usurp the place of the grand apostolic doctrines in the mind, and the original truths are discarded by those who seek the seductive paths of science and embrace the 'liberal' tenets of infidelity. Therefore, disturb not the old doctrinal landmarks of faith, lest you meander too far from the true line—the original witness-trees or monumental corners of the true survey.

"The hewers of wood and drawers of water produce more happiness in the world than the nobles and aristocrats who bask in the sunshine of idleness, and subsist on the products of the honest toil of the laborers. The blood of a king whose commands rack a nation from center to circumference, and whose sword awes a continent into submission, is no better than that of the serf whom the king holds in bondage or in servile allegiance. He who was rocked in a sugar-trough for a cradle, and reared in the moss-grown log cabin, may be a better, happier and wiser man than the aristocrat, whose infant cries were smothered with gorgeous drapery in a magnificent cradle, and reared amid the frescoed halls of a palace.

"The honest laborer and Christian who 'hews to the line,' and makes society better and happier, and causes the light of civilization to penetrate the wilderness, thus dispelling the gloom of ignorance and barbarism, and causes Christianity to spread its genial rays wide over the world, may truly be classed as one of Nature's noblemen.

"Many there are who, unhonored, have left in every footprint, from the cradle to the grave, brilliant examples of honesty and integrity; whose energy and enterprise have caused the rose to blossom upon the desert waste, beautified the forest wilds, and gathered the splendors of the valley into the storehouse of usefulness. They hewed to the line, and won their reward in the sweat of honest toil. It has been written, 'Whatsoever thou findest to do, do it with thy might;' and, I add, when thou doest it, 'Hew to the line.'

"Pope said, 'An honest man is the noblest work of God.' What kind of a job would the old poet have designated a 'dead-beat,' or a dishonest rascal whose daily life is a routine of rascality, blasphemy and wickedness? Christianity, when professed and practiced sincerely, not only makes men better and happier, but also causes them to exhibit honesty and integrity of purpose in their intercourse with their fellow-men, thereby aiding to diffuse happiness throughout society. 'Remove the beam from thine own eye before thou searchest for the mote in thy brother's eye,' is as applicable west of the sixth principal meridian as it was nearly two thousand years ago on the shore of the Mediterranean.

"There are many men, however, who bottle up their religion on week-days, and make a regular soda-fountain of it on Sunday."

Here some of the audience at the rear end of the building began to laugh, which soon spread among the entire congregation. I expected to hear the preacher reprove them; but instead thereof, he smiled one of his peculiar pleasant smiles, and looking at the audience for a moment, exclaimed in an emphatic manner, "Laugh and grow fat, but hew to the line!" This was too much for the audience, and they enjoyed a hearty laugh, in which the preacher joined. As soon as order was restored, he proceeded as follows:

"There are other men who whittle their religion, like a boy whittling a stick, down to the fine point of nothing."

More merriment among the audience, in which Romulus joined, after which he again proceeded, as follows:

"Charity begins at home, and with many people remains at home. It has been written, 'Love your enemies;' and I do try to love mine, even the Indians, according to divine command, if they will stay away from this country so far that 'Distance lends enchantment to the view.'

"A philosopher may learn wisdom from a fool, and a Wall-street broker may learn integrity from a homestead settler. The difference between a sea captain and a stage driver is not so great as most people imagine, as both are clothed with grave responsibility. The Ten Commandments are a wise collection of rules, and if strictly obeyed, the people would be better and happier—peace and good order would reign. But some strictly observe one of the commandments, and perhaps violate the others. A deacon may swap horses with a layman and get the best of the bargain, or a man of the world practice chicanery with an easy-going Christian without any check of conscience. Others assume the voluntary responsibility of attending to the affairs of an entire community, by dictating their duty in detail, making telegraphic announcement of the short-comings of their neighbors throughout the neighborhood. All persons have their friends, some more, some less, but everyone is the recipient of more or less censure from the gossip-heralds of the community. But those who 'hew to the line,' regardless of the fault-finding of others, sooner or later will brighten the pathway of Christianity.

"Human nature is the same in all ages of the world; cultivate it in the right direction, and it develops the beauty and ornamental design of the Creator; debase it, and it becomes the opposite.

"While the pagan is worshipping his idol, the civilized Christian reading his Bible, the Indian is daubing his face with war-paint, counting his scalps, or reconnoitering a frontier settlement, to rob and murder—all done by the light of the same sun that illuminates the universe. Statesmen wrangle about the affairs of government, kings go to war for supremacy and power, while the homestead settler breaks prairie, plants his crops, and reads his Bible in his rude dug-out, and is the happiest man.

"Though his dug-out is rude in architecture, it shelters him and his family; and the wind may whistle through it, the wolves howl around it, but his little family gather closer about him as he reads his Bible and offers his devotions. He is in his castle, across the threshold of which no potentate dare venture without permission, and no sectarian scepter deters him from his Christian duty of hewing to the line, and training up his family as he was trained in his old Christian home in the East. There are many such dug-outs and such homes up and down this valley, and scattered over the frontier, before the doors of which my pony has often been hitched while I preached within.

"The line should be straight, not zig-zag. Every bee-hunter knows full well that when the bee leaves its field of labor and starts for its home, the hive, the course it pursues is in a straight line. Though it may have wandered into new floral fields hitherto unexplored, or threatened by the near approach of a storm-cloud, its instinct teaches it that its chosen straight line is the shortest route to its home, and no deviation lengthens its journey. A true man may learn wisdom from the flight of the honey-bee.

"The zig-zag line is often followed in the journey of life, and in the scramble for the almighty dollar, and, like a cottonwood-board fence, is alternately warped and straightened by the storms of misfortune, or the sunshine of pleasure and happiness.

"The straighter the line of conduct, the less the pressure on the conscience; and when the end is reached, the memory stretches backward to the paths of the past, lingering a moment at the guide-posts that pointed the route of travel through the moral world.

"Many men during their evil days tear down the partition wall between their conscience and their daily practice, and fail or neglect to repair or rebuild it after they make profession of a change in their moral conduct, or dead-head their way into the church. The evil one erects false guide-posts all along the pathway of life, primed and painted with the allurements of vice, that sooner or later cause the traveler or hewer to deviate from the true straight line, and he wanders into the wilderness of wickedness and despair.

"There are no proxies in religion, and as every tub stands upon its own bottom, so verily, 'he that tooteth not his own horn, the same shall not be tooted.' If you are on the down grade, put on the brakes.

"Chalk your line with the best intentions and resolutions you have, then hew to it without disturbing the 'old landmarks,' all along the journey of life, through evil as well as good report, on week days as well as Sundays, amid prosperity and adversity, with charity and Christian duty inscribed on your banner, and you will have a morality that will neither rip, ravel, nor rust.

"I do not preach for money, and I never ask for any contributions for my preaching; but if some kind friend will invite me home with him to a good dinner, and furnish some provender for my pony, he will receive his reward."

He usually sang all his hymns in the same tune—Old Hundred—and he closed his services by singing the words of the Doxology in that venerable tune, with his musical voice and original variations, while a few of his congregation sang the words in the proper air; and if the discord was detected by anyone present, due allowance was made for the privilege of having a sermon and time-honored hymn-singing on the frontier.

CHAPTER 9.

HOLDING COURT.

During the interval between the completion of the building for the Land Office, and the opening of the office for business, the fall term of the District Court for Cloud county was to be held in Concordia, the new county seat, for the first time. On the day fixed by law for convening court the judge of the district failed to put in an appearance, and a message was received that he was unable to appear and hold court on account of sickness. A goodly number of lawyers, clients, witnesses and the regular petit jury were in attendance, all anxious that court should be held. The trial docket showed sufficient cases for a whole week's work. A number of criminal cases were docketed in which the defendants were on bail for their appearance, and having appeared were in charge of the sheriff and his deputy, the sheriff having been advised by the newly-elected county attorney—who, by the way, had not yet qualified nor entered upon the discharge of his official duties—that he (the sheriff) must take the prisoners into his custody. The prisoners were anxious to be tried and know their fate, and their vigilant bondsmen were present desiring to be released from further responsibility. A number of divorce cases were docketed which the plaintiffs were solicitous should be tried, for some reason unknown to all save their attorneys, who, from the statements of their clients under the ban of professional secrecy, were doubtless aware that executory verbal contracts of marriage with "number two" had been entered into and could not be postponed. Hence the attorneys were determined that court should be held, ostensibly, as they insisted, for the reason that some of their clients were in the custody of the sheriff, restrained of their liberty, but a more potent reason was inferred to be that their fees were not to be paid until the cases were tried, and were contingent upon a successful termination of the litigation.

A meeting was held to determine whether a *pro tem.* judge should be chosen and court held. At the meeting Judge B—— made a speech, as follows:

"*Mr. Chairman:* Court must be held. My clients and others are in custody and restrained of their liberty. They are here demanding a full-grown trial, by an impartial jury—if we have any in this free country—and I believe we have." (The last remark was made for the benefit of the regular panel, who were in attendance.) "There are a number of yeomen here as prisoners, restrained of their liberty—that liberty for which their forefathers fought during the Revolution; that liberty for which Washington crossed the Delaware amid floating ice, under a moonless sky at midnight, on that night of nights ever memorable, Christmas; and that liberty written in letters of living light by the pen of Jefferson in the Declaration of Independance; that liberty the centrifugal force of which radiated from the hearts of the Green Mountain Boys, verified and sealed with the blood of patriotic Puritans on the brow of Bunker Hill, on the banks of the Brandywine, among the snow-clad hills of Valley Forge, and at Yorktown, where Cornwallis threw up the sponge and laid his British sword at the feet of the father of our country; that liberty that was inserted in the bill of rights in our American magna charta, and defended by Dan Webster, Henry Clay and Andy Jackson, and all the other great statesmen who have crossed the shadow of the rotunda of the capitol of our country, and which has been for eighty years the boon of every American citizen, native or naturalized." (The closing part of the last sentence was intended by the Judge for the naturalized Swedes who were on the jury.) "In behalf of the aforesaid liberty, and my clients who are in *durance limbo*, I demand that a judge *pro tem.* be chosen and court held!"

The speech of the Judge decided the question, and it was resolved to elect a *pro tem.* judge and hold court; and the members of the bar retired to a room to choose the judge. I was sitting in my temporary room poring over the dry pages of "Lester's Land Laws and Decisions," and the circulars of the General Land Office, when three members of the bar appeared as a committee, of which Judge B—— was chairman. The Judge, as chairman, addressed me as follows:

"Most potent, grave and silent denizen! Thou profound, sun-tanned, weather-beaten relic of the Eastern Kansas bar! Our judge having failed to put in an appearance owing to sickness, caused by overloading his stomach at a festival, and the welfare of the country depending upon court being held in this embryo city, the future emporium of this valley, and that the peers of your Honor and members of this committee, who are restrained of their liberty, may be released, the innocent acquitted, and the guilty punished according to the statute in such cases made and provided, and the long-delayed creditors receive their just due, the members of the bar of this county have held an election as provided for in the constitution; and learning that in the land from which you have journeyed you were an expounder of the law, and knowing that you are a stranger to all our clients and the parties litigant, and not of kin to the County Attorney, we have concluded that you are the most suitable person to represent justice, as the goddess of that ancient and mysterious theory was represented as blindfolded, which, however, is not strictly in accordance with that maxim from scripture, 'If the blind lead the blind they will both be mulct in the cost.' However, we have chosen you *pro tem.* judge. Will your honor please accompany the committee to the Clerk of the Court, and be sworn to support the constitution of the United States and of this State, and all acts and parts of acts not in conflict therewith, and otherwise discharge the duty of *pro tem.* judge."

For some reason, not well founded, the Judge imagined that I was a member of some church of the strictly orthodox school, and being well read in the scripture, and of a retentive memory, in his address as chairman of the committee, he drew largely from the Bible for his reasons and illustrations, the most of which quotations I have forgotten. History was not neglected in that address, and "The restless Romans throwing aside the trappings of place and pride, and calling Cincinnatus from his plow in the corn-field to preside over the Roman Senate," is a sample of the historical eloquence of the Judge in his elaborate address to me.

In vain I begged to be excused. The Judge informed me that the meeting had directed the Clerk to fine me for contempt if I refused. I protested, that being a Federal officeholder I could not legally act as judge *pro tem.* He replied that they would waive all technical advantage of that, if any existed. Said he:

> "There are no politics in this election. I am aware that your Honor is a member of the Republican party—the dominant party—and I have no doubt, sir, but that you are one of the bright lights along the pathway of your party, 'a cloud by day and a pillar of fire by night' to guide the benighted followers of the leaders of your party; but, sir, there are no politics in this election of *pro tem.* judge. I know not the politics of the other two members of the committee. I believe they belong to your party; but as for myself, I never deny my politics. I am a time-serving, moss-grown Democrat of the Jackson school, in favor of the constitution and supremacy of the civil law. The constitution provides for a *pro tem.* judge, and the time for which we have elected you is one week, and, as a Democrat, I am willing to risk a Republican in office for one week, especially when there are no emoluments attaching."

Further objection was useless, and as an accommodation to the attorneys, litigants and jurors, I consented to serve, and was sworn by the Clerk, and opened court in the land office building. It was a lively court, and elicited more enjoyable fun and rollicking humor than any court I had ever attended.

Without specifying each case in its order, suffice it to say that I called the docket each day, granted all the divorces applied for, and in order to preserve the untrammeled right of parties to bring suits, presuming that each party who had commenced an action by filing his petition had legal grounds for doing so, I overruled all the demurrers. There was one case tried before me, however, that I deem of sufficient importance to be described in detail, as it involved an unique feature in practice, then new to me, involving the question of making profert of the countenance of the prisoner (the defendant) to the court.

As near as I recollect, the case was docketed as—

The State of Kansas }
vs. } Breach of the peace.
Hans Von Sederland. }

The complaint, in the shape of an affidavit, contained the following language:

"The said defendant, Hans Von Sederland, without the fear of God before his eyes, and instigated by his Satanic Majesty, with a double-barreled shot-gun, loaded and charged with gunpowder and bird-shot, with malice aforethought, in and upon one Casper Boonfelter and his cattle, then and there being, did commit an assault with intent to wound, maim and injure him, the said Casper Boonfelter, and his cattle. And the said defendant, Hans Von Sederland, with malice aforethought, with the aforesaid double-barreled shot-gun, so as aforesaid loaded and charged with powder and shot, did flourish in a menacing manner; and the said defendant, Hans Von Sederland, with malice aforethought, the said double-barreled shot-gun, so as aforesaid loaded and charged, did point at and towards the cattle belonging to him, the said Casper Boonfelter; and the said defendant, Hans Von Sederland, with the aforesaid shot-gun, loaded and charged as aforesaid, did threaten to wound, maim and injure the person and cattle of him, the said Casper Boonfelter, then and there being, contrary to the statute in such cases made and provided," etc.

The defendant had been arrested, and examined before a justice of the peace, and bound over to appear before the District Court, and in the meantime, to keep the peace toward Boonfelter and his cattle, and mankind generally. The case was called, the prisoner arraigned, and the question at issue before me was, whether the prisoner should be held to bail further to keep the peace, or be discharged—a case that ordinarily would not occupy the attention of a court but a short time, but which engaged this court, as the proceedings show, nearly an entire day, owing to the lengthy argument of counsel. It is necessary here to give a brief description of the defendant, in order that the reader may fully understand the action of the attorneys and the finding of the court.

The defendant, Hans Von Sederland, was a German, and in the course of a long service in the army in Europe, and in the volunteer service of the United States during the war of the Rebellion, had received many wounds, in consequence of which he was somewhat deformed, and at the time of the alleged offense was obliged to walk with a cane. While his countenance bore every indication of honesty and a peaceable, quiet nature, he was perhaps the ugliest man in Kansas; though in that respect, according to Judge B——'s speech, he had but little advantage of the County Attorney.

The evidence submitted showed substantially the following: That Boonfelter was one of those enterprising stock-raisers who had sought to establish himself upon the boundless prairie, where his cattle could range at will, and had built his corral in a belt of timber skirting the banks of the Republican, in close proximity to the homestead of Sederland. Boonfelter's herd was not a large one, consisting of the old bell-cow—about nineteen years of age—(in the opinion of the witnesses, calculated from the number of wrinkles on her horns,) with her progeny, grand-progeny and great-grand-progeny, of both sexes, down to the twelfth generation, including the youngest, a rollicking month-old calf picketed in the back yard. The old bell-cow had committed many trespasses, notwithstanding the herd law was in force; and having reconnoitered the least guarded and weak points surrounding Sederland's corn-field, and taking advantage of the afternoon nap of "Bub" Boonfelter, who was herding the stock, made a dash for the corn-field, followed by her numerous progeny. This was more than the impetuous Sederland could endure, and seizing his old rusty shot-gun, that had been loaded for many months, sallied forth with the two-fold purpose of peppering the old bell-cow with bird-shot, and corralling the remainder until Boonfelter paid the damages. In vain he tried to fire the old gun that would have required a gunsmith with suitable tools to draw the charge.

Boonfelter with his tardy boy, the herder, appeared on the field, and an amusing scene transpired, according to the evidence. The shot-gun was flourished; high words were uttered in strong language, accompanied with the usual amount of profanity on such occasions. Sederland, being a foreigner, somewhat reversed the natural order of profane words—that is, he swore backwards, or in such an awkward manner as to emphasize syllables differently from the style of American swearers; from which, and upon which circumstance, Boonfelter founded his belief that personal violence was threatened by Sederland. Much more evidence of an amusing character was adduced. The affair terminated by Boonfelter obtaining possession of his cattle, without a scratch or blemish at the hands of the deformed Sederland, and the arrest of the defendant for breach of the peace, in which action the magistrate had found sufficient conclusions of fact and law to hold him to bail to keep the peace, and for his appearance at the District Court.

The County Attorney appeared for the State, and Judge B—— for the defendant. After the evidence was all in, the County Attorney requested the defendant to stand up, and he having complied with the request, the prosecutor took him by the arm and led him in front of me. I could not imagine what was his object. I was soon relieved of suspense, however, for Judge B—— immediately arose and said—"What are you doing with my client?" To which the County Attorney replied, "I desire *to make profert* of the prisoner to the court. If your Honor please, just look at that countenance"—at the same time pointing to the face of the prisoner. "I object," said Judge B——, and supported his objection with the following speech:

"SIR: It is the most ridiculous proceeding I ever witnessed in court. Simply because my client is not handsome—the ugliest man in the community—to offer his countenance in evidence to prove that he is a criminal, is a diabolical attempt on the part of the County Attorney to injure the character of my client, after failing to make out his case. But since I cannot prevent your Honor from looking at the face and features of my client, I implore you to compare his countenance with that of the County Attorney, and then decide, from the vast stores of your knowledge on the subject of physiognomy, as if you were not otherwise informed, which countenance would be likely to adorn the prisoner at the bar, arraigned as a criminal, and which the County Attorney.

"Things inanimate are sometimes made profert to a jury; but who ever heard of the countenance of a prisoner arrested on a peace warrant being made profert to the court simply because he is ugly? Sir, you may ransack the musty records of antiquity down through the devious paths of the common law, through all the practice of centuries before the King's Bench, at *Nisi Prius*, or even before the learned justices of the peace in Kansas, and you will not find an instance of such an idiotic attempt to disgrace the practice and noble profession of the law, as this profert of my client by the County Attorney. It will have about as much effect upon your Honor in this case as the light reflected from the putrescent scales of a decayed mackerel in the streets of Chicago would have upon the inhabitants of the planet Uranus!

"I have heard of lightning-bug lawyers and the exegetical blow-guns in pettifoggers' shoes advocating technical nonsense with bold effrontery, but this out-lightnings the most brilliant bug of the species—ranks the condemnedest, meanest pettifogging ever indulged in by counsel in a court of justice, and none but a fungus-growth, mildewed lawyer would seek to impose such an insult upon my ugly but patriotic client!

"This venerable Dutchman, who has faced the mouths of belching cannon in the Revolution of 1848, and whose blood crimsoned the waters of the Danube; who, in defending his adopted country, to use his own language, 'Fit mit Sigel' in the valley of the Shenandoah, and 'Fit mit Rosecrans' from the rock-ribbed slopes of the Cumberland mountains to the blood-stained field of Chickamauga; who has been roused a thousand times from his midnight slumber on the tented field by the long roll, and sprang to arms to meet the foe in defense of his adopted country, for which he periled his life, far from his home and kindred; and who, when the war was over, wounded, disabled, and disfigured by the scars of battle, sought peace and a quiet life on his homestead in this beautiful valley—and now, when he is brought here on a *peace warrant* into the temple of justice, covered with as many battle-scars as decorated the person of Coriolanus of old, he receives no kindness from a grateful people for his long suffering in behalf of the Republic, but is insulted by the County Attorney, who presents the countenance of this scarred veteran and dilapidated warrior as profert to the court, and as an extra inducement to convict him for pointing a rusty old shot-gun at Boonfelter's aged bell-cow. Republics may not be ungrateful, but man, vain man, clothed with the mantle and authority of a pettifogger, 'will cut such fantastic tricks' in a court of record as would make the blindfolded Goddess of Justice weep!"

This speech swept away my judicial discretion, and I discharged the prisoner, ordering that he go hence without day; and as he hobbled out of the court room, he bestowed a grateful look that implored a blessing on me for all time.

Court adjourned for the term.

CHAPTER 10.

NORTHWESTERN KANSAS.

Kansas occupies a prominent position as the central State in the Union, and her prosperity, secured under discouraging circumstances, and by the enterprise and industry of her citizens, is widely recognized. Young in years as a State, Kansas is ripe in experience, and in those progressive qualities that are the sure foundation of greatness. During its first settlement, no portion of the State possessed greater attractions for the agriculturist, the stock raiser, the mechanic, and the tourist, than that part of Northern Kansas west of the Blue river, called the Homestead Region.

The Republican and Solomon valleys, and the country drained by those streams and their tributaries, but a few years ago were the hunting-ground of the Indians, and the grazing-field of the buffalo, elk and antelope, and the ancestral haunts of the coyotes and prairie dogs. During the war of the Rebellion, the settlements of Northern Kansas had been confined to that part of the country east of the Blue river, and the few settlers who had ventured west of that river were in danger from incursions by roving bands of Indians. After the war closed, immigrants again moved westward, crossed the Blue, and penetrated this beautiful country.

What a lovely and vast landscape stretched before the vision of the beholder! The wide expanse of prairie swept away on either side, dotted here and there with groves of timber, and the vision was only limited by the far horizon. The streams, bordered with timber, could be traced by their winding course in the distance, while the natural grandeur and beauty of the landscape delighted the immigrants, whose only fear was of lurking Indians, who reluctantly yielded their favorite hunting-ground to the advance-guard of civilization.

The valleys of the Republican and Solomon and their tributaries were the objective points to which the immigrants wended their way. These valleys, in the spring time, were grand and beautiful beyond the power of pen portraiture. The bluffs along the streams were but sloping plains, gradually ascending from the bottoms to the upland prairie, with occasional headlands or promontories overlooking the streams on one shore, while on the opposite side were extensive bottoms and plateaus. If the landscape presented to the first settlers a scene of wild loneliness, all this was rapidly changed by the echoes of civilization from the camp-fires and cabins of constantly-arriving immigrants. The grass-covered uplands, the wide valleys, the shallow, narrow cañons, caused by the showers of ages as the water sought an outlet to the streams, the gradual rising ridges, bordered at the base with clusters of plum trees draped with grape-vines, forming a shady retreat for the wild-turkey and jack-rabbit, made up a picture of rural loveliness.

Among the natural scenery of this country may properly be classed the mounds, so called, being cone-shaped elevations rising abruptly from the bottoms or upland, which can be seen at a great distance, outlined against the blue sky or hazy horizon. What a scene greeted the beholder, upon ascending one of those mounds! The vision had an uninterrupted range of the wide-extended plain. The mounds constituted lookouts for the immigrant, hunter or traveler, when watching for the approach of Indians. Where is the mound-climber among the first settlers whose heart has not leaped at the view that met his vision on ascending to the summit? In one direction a dark moving mass outlined against the horizon, which the beholder knew to be a herd of buffalo; in another place, a band of elk quietly grazing, while the fleet antelopes dashed over the adjacent ridges. From that elevation the course of the streams could be traced by the darker color of the foliage of the timber skirting their banks, winding away in the distance until lost to view.

A prominent feature of the natural scenery of this region is Lake Sibley, in Cloud county. It is in the shape of a horse-shoe, about two miles long, and of the width and depth of the Republican river. In the distant past it was doubtless the channel of the river, and becoming obstructed by beaver-dams and drift-wood, the river sought its present channel, leaving the lake entirely segregated. The lake is affected by the river only when the latter overflows its banks and runs into the lake. It is fed by springs, and the water is clear, abounding in fish of several varieties, such as sunfish, bass, cat and buffalo, the most numerous being the sunfish and bass, which are caught in great numbers with rod and line, furnishing rare sport that more nearly resembles trout-fishing than any other in Kansas. The shores of the lake are bordered with a dense growth of willows and plum bushes, with a large number of elm, walnut and cottonwood trees, casting a cool shade in summer over the water, beneath whose shadowed surface the lithsome bass and sluggish buffalo fish find a secluded retreat. Rambling along the shores of the lake, or reclining beneath the shade of the trees with rod and line, reminds one of his boyhood sport in bass-fishing in the streams of the older States.

As the shadows lengthen toward sunset, the long-drawn-out music of the katykid pervades the air in mournful cadences, suggesting to the mind of the credulous the bare possibility that the original notes of the "Dead March in Saul" were derived from the music of the katydid. Be that as it may, there is something in the song of the katydid in those shadowed glens, along the shore of the lake, that causes the memory to traverse the past to the chirp of the cricket and the song of the katydid at the old homestead, in boyhood days—something that creates a momentary feeling of regret, calls up sad, but withal pleasant memories of the log-cabin, the weeping-willow by the window, the walnut trees in the barnyard, the sugar trees that bordered the lane leading to the pasture, and the stately elms and butternut trees that cast a shade over the moss-grown watering-trough at the spring branch. Such meditations are soon dispelled, however, by the deep bass croaking of an aged bull-frog, of high rank, far up the lake, answered by others nearer joining in the chorus all along the shore in a variety of keys, from the hoarse bass of the great green frog, down to the piping of the juveniles that have but recently dispensed with their tadpole appendage in the shallow marsh at the foot of the lake. The warning murmur of the musquito informs one that an old marauder is reconnoitering for an attack upon the vulnerable points of face or ears, just as the line quivers with a prospect of landing a bass. Barring these temporary interruptions, a day's fishing about Lake Sibley is rare sport.

During the spring and autumn months the lake is fine shooting-ground for sportsmen, large numbers of wild geese, brant and ducks congregating there.

No part of Kansas, during its early settlement, has suffered more from Indian raids than have the Republican and Solomon valleys. The settlers of Ottawa county were disturbed by the Indians more or less from 1860 until 1864.

In 1860, Jacob Miller was killed by Indians near the present village of Delphos, and was buried in what is now the city cemetery near Minneapolis, on the 4th of July. After that, no settlers remained in the Solomon valley above Sand creek, until 1863. In 1864, a stockade was built about three miles below where Minneapolis now stands. The following incident of the organization of the company for defense of the stockade was told me by H. S. Wooden, Esq., of Minneapolis, an early settler, from whom I learned the history of the Indian raids in that county:

"In order," he said, "to obtain commissions for a captain and lieutenants in the militia to guard the settlement, it was necessary to have a certain number of men enrolled, and well do I remember when I first saw that company mustered into line, and the arms—old muskets—delivered to them. Many ten-year-old boys were members of the company, and as they marched away, the query rose in my mind as to which was the larger, the boy or the musket—and it was really amusing to see those little fellows at drill."

The incident shows to what extent the settlers were driven to protect themselves from the savages, and those boys, now grown to manhood, will never forget their juvenile military training in that old stockade of the past.

In 1866, several families, consisting of William Belknap, John Rice and family, Nicholas Ward and family, an old man by the name of Flint, John Marling and family, and some others, took homestead claims along White Rock creek.

In August of that year a war party of Cheyennes appeared in the vicinity of Marling's cabin, and while Marling was endeavoring to procure one of his horses for the purpose of riding down the creek to notify the settlers, the Indians entered the cabin and dragged Mrs. Marling into the timber, where she was treated in the most inhuman and fiendish manner, and left in an insensible condition. Early the next morning Marling returned with a few settlers, and found his wife wandering over the prairie in an almost frenzied condition. Her terrible suffering had rendered her almost wild. The Indians had taken everything movable from the cabin. The settlers then moved to the stockade, in Republic county. In a few days, Ward and others returned to their claims, where they remained until spring.

On the 9th of April, 1867, the Indians again attacked the settlement, killing Bartlett, Mrs. Sutzer and her little son, and Mr. Ward, taking Mrs. Ward a prisoner; since which time no trace indicating her sad fate has been discovered.

In the summer of 1866, a party of six hunters, consisting of Lewis Cassil, Walter Haines and two others from Clifton, and two sons of William Collins, then living in Cloud county, were all killed by Indians, after a desperate fight, on Little Cheyenne creek, some ten miles west of the city of Concordia, an account of which may be found in another chapter.

The Scandinavian or Swedish colony located on the Republican river, and laid out the present town of Scandia, in Republic county. The colony extended their settlement up and down the river, and for some distance up White Rock creek. They protected themselves as well as possible against the Indians, and when attacked, left their claims and repaired to the general rendezvous at Scandia for safety.

The Excelsior colony, composed largely of Scotchmen, was established in 1869, and built a block-house near where Homewood is situated.

The Swedes returned to their claims, but in May, 1869, they were driven back to Scandia by the Indians, who had attacked hunters and settlers farther west on the creek and Republican river, in which attack a settler named John Dahl was killed.

About that time, Philip Burk, a resident of Marshall county, and six others, while hunting buffalo on the Republican, in the northwest part of Jewell county, were attacked by Indians, and fought their way back to White Rock creek, near its mouth, in Republic county; and upon reaching the Republican river, having exhausted their ammunition, they plunged into the river, and six of them were killed—only one, John McChesney, escaping to tell the fate of the others. A full detail of those Indian raids in that part of the country may be found in the "Homestead Guide," by F. G. Adams, and in the pamphlet "History of Jewell County," by Winsor & Scarborough.

In August, 1868, the Indians made a raid along the whole frontier settlements, from the Smoky Hill river to Nebraska, mainly upon the Saline, Solomon and Republican. Benjamin White, who resided on what is now called White's creek, in Cloud county, was killed, and his daughter carried into captivity. On the Republican, in the vicinity of White Rock creek and Scandia, the settlers suffered, but the heaviest blow was struck on White's creek and on the Solomon. Miss Jennie Paxton was teaching school on the present town site of Glasco, on the Solomon, and hearing that the Indians were advancing, she, with her pupils, started for the nearest place of safety. The Indians discovered them, and gave pursuit. The teacher was a brave young lady, and kept between the little children and the advancing savages, and they all reached a place of safety, except a boy, a son of Capt. H. C. Snyder, who was overtaken. Young as he was, he made a gallant resistance, but was left for dead. He was not mortally wounded, however, and finally recovered.

At that time Mr. Morgan, residing in Ottawa county, was wounded, and Mrs. Morgan, his wife, taken prisoner, who, with Miss White, captured on White's creek, was kept by the Indians six months, and suffered intensely, until both were rescued by General Custer. In the spring of 1869, a son of Mr. Adkins was killed by the Indians on the Republican river, eight miles above Concordia.

The last raid was made by the Indians in the summer of 1870, when three men were killed at the mouth of Limestone creek, in Mitchell county, and the settlers of Jewell county, on Buffalo creek, saved themselves from attack by collecting together and building a barricade, or fort, on the present town site of Jewell City. It was called "Fort Jewell," and is one of the interesting features in the early history of Jewell county.

But the Indians have gone—none having appeared in Northwest Kansas since 1870, until the fall of 1878, when the Northern Cheyenne band escaped from their reservation in the Indian Territory, and in going northward crossed the western part of the State, and committed numerous murders and outrages in Decatur county and vicinity.

The buffalo, too, have been driven westward by the onward march of civilization, and Prentis's "Star of Empire on the old-time wagon wheels" is now conveyed on locomotive trucks. In lieu of forts and block-houses are the depots of railways, and instead of the war-whoop of the Indians is heard the whistle of the locomotive along the Republican and Solomon valleys. All this change in eight years; and ere eight more years have passed away the entire northwestern portion of the State will be thickly populated with industrious, enterprising people, and doubtless the trains of the C. B. U. P. Railway will be running to Denver.

In the summer of 1858, T. F. Hersey and a party were traveling up the Solomon, and camped for a night on the oval-shaped mound near where the mill now stands in Beloit, at the base of which mound was a spring of pure water. The night was cloudless and lighted by the rays of a full moon, and as Hersey lay on his blanket he heard a rippling sound as though the water of the Solomon was running over shallow falls; and he waded out into the stream and found a ripple of considerable fall, with rock bottom. Though it was night, his keen perception at once satisfied him that there was a water-power of great value, and he determined to return in the future and secure its advantages. In 1869 he and others laid out the town of Beloit, and he commenced improving the water-power; since which time it has been amply demonstrated that the Solomon river affords more extensive water-power facilities than any other stream in the State.

In June, 1872, the Northwestern Land District was created, embracing all that part of the Republican Land District west of the west line of range 8, west. At that time Cawker City was a small village, having been laid out in the autumn of 1870 by E. H. Cawker and others. The land office for the district was located at Cawker City, and the office was opened for business on the 5th day of August, 1872.

On the 4th of July, 1872, while the citizens of Cawker City were celebrating the anniversary of Independence, a huge buffalo, as if his instinct had been permeated by the spirit of independence, boldly appeared upon the town site, paused a moment to look at the American flag floating from a liberty-pole, then shook his shaggy head with scornful defiance at the increasing evidences of civilization, and with a majestic movement turned his course westward to seek his companions. He paid dearly for his hazardous reconnoissance, however, for a half-dozen citizens and sportsmen seized their fire-arms and gave chase, and cutting off his retreat, hemmed him in on the town site. Then followed rare sport and a scene of lively adventure, making it one of the most exciting celebrations of the 4th of July of record on the frontier. The buffalo was a noble specimen of his species, and he struggled long to preserve his existence, but finally yielded his life a sacrifice on his native pasture, in full view of the American flag. His breath was no sooner stilled than he was dressed, and the choice portions of his flesh roasted and added to the viands which helped to distinguish the occasion. In the future, when Cawker City becomes a manufacturing town, and when trains on the C. B. U. P. Railway pass through on their way from Atchison to Denver, the boys who assisted in killing that buffalo, in recounting to the traveler the incidents of the early history of the town, will point with pride to the exact spot where, on the 4th of July, 1872, they killed the buffalo, as a part of the sport which made that day memorable.

In the early settlement of this homestead region, the immigrants were composed not only of persons from many of the States of the Union, but also largely of immigrants from Europe. The greatest number of foreign immigrants were from Sweden and Norway, and they are now an industrious, enterprising people—orderly, moral, frugal, and good citizens—who left their homes and workshops in their native country to seek homesteads that ripen into fee-simple titles to the quarter-sections of beautiful land on the prairies of Kansas. Their industry, frugality and honesty are proverbial, and they have aided materially in developing the country.

The hardy Scotsmen left their native highlands to seek homesteads on the prairies of Kansas, where they could imitate their idol poet, the Scottish bard, by following the plow on their own land on the Western plains, encouraging themselves with the noble sentiment—

"A man's a man for a' that."

The stone-cutter from Edinburgh can exercise his artistic skill in carving into useful shapes the beautiful magnesian limestone so abundant in this region. If the flower-bordered banks of the Republican and Solomon remind them of the

"Lovely Dee," or "Bonny Doon," causing a transient homesickness, it is soon dispelled by the prospect of farms unburdened with rent, which reflection banishes any lingering regret at leaving their native country.

As an evidence of the industry and enterprise of the Scotsmen, the beautiful tract of country southwest of Belleville, in Republic county, called the "Scotch Plains," is a well-regulated neighborhood of farmers from Scotland, and presents as fine attractions as any tract of country in Northwestern Kansas. The industrious stock raisers from England here found a wide range for their cattle and sheep, while the healthful breeze fanned their ruddy faces, causing them to smile with contentment and happiness.

The polite, vivacious Frenchmen, in large numbers, here found ample room for their enterprise and industry, and have aided largely in developing the country.

The good-natured, jolly German smokes his meerschaum and drinks the staple beverage of his native country under the shade trees on his homestead, as contented and happy as the lord of his native manor on the banks of the Rhine.

In conclusion, the extensive prairies and valleys of Northwestern Kansas offer rare inducements to immigrants from Europe.

CHAPTER 11.

THE LAND OFFICE.

January 16, 1871, the date fixed for the opening of the United States Land Office for business, was a lively day for the little village of Concordia, with its half-dozen houses surrounded with prairie grass. The creaking of the snow beneath the feet of the pedestrians, and the grating sound of the wagon wheels over the frozen ground, were evidence that the mercury was but a trifle above zero. The white covered wagons and smouldering camp-fires occupied every available space adjacent to the Land Office building.

A large number of settlers had collected in front of the building, waiting patiently for the office to open for business. One stalwart fellow had been holding to the door-knob since early dawn with as much tenacity as if life or death depended upon his being the first to enter the office when the door should be opened. Lawyers and land agents, with overcoat pockets crammed with papers, were passing to and fro among that vast throng of weather-beaten settlers and immigrants. That crowd of waiting people embraced persons of several nationalities, and native-born citizens from many of the States of the Union. They were of all ages, from the veteran farmer of threescore and ten, down to the young man who had just reached his majority. They were the frontiersmen whose energy and muscular power were well calculated to settle and improve a new country, and drive the Indians and buffalo westward. They were the men for whose benefit the homestead law was enacted, in return for which the Government was assured that the monotonous stillness of the frontier would be broken by every sound of civilization. They were men who could endure the hardships incident to the settlement of a new country and frontier life—men who could rear the cabin, construct the "*dug-out*," and overturn the prairie sod that had been the grazing-ground of the buffalo, covered by the snows of winter and watered by the showers of summer for ages.

Many of them were landless in their native States, and had come west to secure a home. The assembly was a promiscuous one. There was the gray-haired grandfather, anxious that his sons, sons-in-law and grandsons should each secure a quarter-section of land, avowing his determination to take one himself, maintaining that he could, old as he was, "make a farm" with less work, on the prairie, the difference in age even considered, than he did fifty years ago in the heavy timber of Indiana. There was the middle-aged man from one State, discussing with a settler from another State the relative merits of Kansas as compared with their native hills and valleys. There, too, was the battle-scarred veteran, his empty coat-sleeve swaying to and fro in the morning breeze, as he stood conversing with an army comrade, speculating as to how much land "Uncle Sam" would give to "honorably-discharged soldiers."

Half the States of the Union were represented in that assembly of settlers, but they were principally from Illinois, Missouri, Iowa, Ohio, Wisconsin and Michigan, with an occasional Yankee from the far East, whose wit and sharp repartee presented a strong contrast to the "thee's" and "thou's" of one or two Quakers from the Keystone State.

While eagerly watching for the office door to open for business, they manifested an unusual degree of interest, increased by the near prospect of securing a quarter-section of land, with a cabin in some cozy spot, enjoying a prospect of the beautiful landscape of the frontier.

The door was opened—a shout—a rush—a scramble over each other—a confused shouting of the number of the range and township, as a half-dozen or more simultaneously presented their papers to the officers, who, in the tumult, could as well have told which animal was the first taken into the ark, as to have designated which one of the settlers was prior in time with the presentation of his papers to the proper officer. One thing was manifest, however—the land office for the Republican Land District was open for business.

I never shall forget that scene. The space outside the railing or counter was instantly filled with settlers, until there was scarcely standing room, and yet a very large number of the applicants failed to gain admittance. Throughout the entire day, during office hours, the number of applicants increased, and, at the close of business for the day, a large number had failed to gain admittance. The day's work footed up one hundred and six homesteads entered, and one hundred and eighty preëmption declaratory statements filed. The officers and their clerks were obliged to work until a late hour at night to transcribe the business transacted through the day. The following day was a repetition of the previous one, and the rush continued for months.

A plan was finally adopted by which, at the close of the office in the evening, a series of numbers, from one to nearly one hundred, were made upon a piece of paper, attached to the outside of the door, upon which the settlers wrote their names opposite the numbers. By this means only a certain number of applicants were admitted at one time, and the tumult and confusion of a promiscuous admission were avoided.

The good feeling that usually prevailed among the settlers was occasionally disturbed by the nefarious attempt of some "new-comer" to "jump" a neighbor's claim, causing a "contest," a land-office trial that will hereafter be described.

At the time of opening the office, there were located in Concordia several members of the bar, some of whom were experienced in practice in the courts, and others newly fledged limbs of the law. They at once entered upon a lucrative practice, in preparing papers for the settlers, trying contests and doing a general real-estate business, besides practicing in the courts. They were genial, social gentlemen, energetic and enterprising, and assisted in developing the country, the growth of the town, and causing time to pass swiftly and pleasantly away.

In addition to the members of the bar, there were a number of land agents, who were not lawyers in the legal contemplation of the term, but who prepared papers for the settlers and assisted in contest cases, usually by doing the "heavy sitting around," or drilling the witnesses while the lawyers tried the cases. They were what a granger would designate as "middle-men." Their success depended more upon their skill in soliciting business, than in their knowledge of the application of the land laws. Among the latter class, there was one of the most remarkable men whom I have met on the frontier. He was a large, finely-proportioned man, physically, with a powerful intellect—if it had been cultivated and given the right direction. When it pleased his fancy he could approach an individual with that graceful, fluent, courteous, gentlemanly address that would have been approved by Chesterfield, but back of which probably lurked a sinister motive that sooner or later loomed up like a dark cloud to overshadow and darken the first favorable impression. He differed from Brummel only as the frontier society differed from that of London at the time Brummel flourished. He could adapt himself to any avocation, from that of preparing papers rapidly and correctly to a game of chance. His power as a solicitor was great, principally exerted in soliciting business on the street from every new arrival of settlers, borrowing money, or maneuvering for some favor at the hands of his friends.

At times it seemed as though he and his conscience had dissolved partnership, and he would as soon charge a settler fifty dollars as fifty cents for making out papers, or watching for the return of cancellation of an entry. He spent his money freely, when he had any, and would as soon treat a wagon-load of settlers as one individual. He was never idle, and his energy was untiring. He constantly traveled the path from his office to the Land Office, when not engaged in button-holing settlers and soliciting their business. He could drum up more business, charge larger fees with less compunctions of conscience, and indiscreetly spend more money, than any man who transacted business in the village.

Withal he was kind, benevolent and charitable, and possessed some noble qualities; but it appeared as though he never had time to call them into practical use during his fast life. Invariably when he received a large fee, he would hire the best "rig" in the livery stable, and take his friends about the town, usually driving with that reckless indifference that ignored danger.

He would pay his last farthing for a buffalo calf, antelope, coyote, or prairie dog, and exhibit them gratis on the streets, until his restless disposition demanded something new, or a change, when he would dispose of them for a trifle to any curious traveler who desired them. At length his shortcomings became sufficiently apparent to induce the settlers to avoid him; his friends deserted him, and disposing of his claim near town, he hied him away to the north, leaving as the only memento of his industry the beautiful trees he planted and nurtured on his homestead, beneath the shade of which, on a pleasant Sunday, he celebrated his birthday with a few of his friends, with a keg of beer and the best viands to be had in the country.

During the entire summer of 1871, each morning a crowd of settlers were assembled in front of the Land Office. White covered wagons blockaded the street, while the sun-tanned faces of the children were thrust out through the space between the bow-supported cover and the wagon-box, audibly wondering what delayed "pa," to be answered by a kindly reprimand and words of caution from their mother, a care-worn but cheerful lady, the settler's wife, who patiently held with one hand the lines that guided the team, and with the other supported a rollicking babe, whose chubby limbs resembled perpetual motion in their efforts to be free.

Meantime the settler mingled with the crowd, inquiring for Government land, or the best road westward, and the best camping-ground along the route. On the vacant lots, groups of settlers surrounded camp-fires, cooking their meals, smoking, and telling stories. One group was composed of soldiers who had served in different regiments of different States, rehearsing battle scenes, camp life, and exploits in which they had participated in defense of their country. Among another group the musical talents of several were displayed, while their voices rose above all other sounds on the morning air as they sang those memorable lines—

"Tramp! tramp! tramp! the boys are marching," &c.

The song, the story and jokes were indulged in largely as they sat around the camp-fires; and if those scenes had their wild surroundings and appearance, they were pleasant ones, long to be remembered as the first accompaniments of settlement and civilization in the homestead region.

As immigration increased, and the prospect for land to become more valuable improved, "claim-jumping" (the frontier term for contesting a settler's right to a tract of land) became a frequent practice, and litigated cases were often tried in the Land Office to establish the rights of the parties. The trials differed from those in a court, in this—the Register and Receiver had no power to compel the attendance of witnesses, by subpena or other process, and the parties litigant were obliged to rely upon the voluntary appearance of their neighbors and friends as witnesses. The non-appearance of witnesses often furnished an excuse for motions for continuance, and the skirmishing of attorneys with long-drawn-out affidavits, containing fine-spun theories of justice and right, with negative averments, disclaiming any purpose of delay, formed the preliminary proceedings of contests that were often amusing.

Some of the speeches of the attorneys on motions for continuance were elaborate and eloquent, with quotations from Greenleaf and other law writers, and occasionally a portion of an effort of some distinguished statesman was thrown in by way of an extra inducement for granting a continuance. The proceedings were not strictly confined to the rules of judicial practice at common law or by statute, but more latitude being given under the liberal practice, the attorneys were expert at availing themselves of the privilege.

Frequently on the day of trial, before the hour fixed for the hearing, the parties and their friends would endeavor to settle the matter, by "wager of battle," outside the office. Such settlements differed from the ancient custom, in that the combatants in contest cases never indulged in a more hazardous mode of warfare or battle than is incident to mere assault and battery.

The transient character of the residence of many of the settlers, especially those without families, caused many contests, and the excuse given and means resorted to by the parties at the trials, as a reason for not having a more continuous residence, were as numerous and varied as the adventures of Don Quixote.

The testimony of the witnesses was reduced to writing by one of the local officers, or by a clerk selected and appointed for that purpose. The progress of the trial was often interrupted by the merriment of the attorneys and parties, caused by the ludicrous questions, witticisms and answers, the officers having no power to sustain objections to frivolous questions. Many were the amusing scenes and incidents that transpired during the trial of cases in the Land Office during several years, but to describe them in detail would require a volume.

The minute description of "dug-outs," pig-pens, "chicken-houses," and that inimitable structure—the "Kansas stable;" the exact measurement of a certain piece of breaking; the examination-in-chief, cross-examination, reëxamination, and the different number of times the witness was reëxamined and cross-examined before he was permitted to leave the stand, were sufficient to tax one's patience as much as the carbuncles that decorated the person of the ancient, oriental shepherd. The only exhilarating influence during the monotonous proceedings was the occasional merriment caused by the jocularity of the attorneys and the retorts by the unhappy genius on the witness-stand.

The scenes and incidents attending those trials would furnish material for several chapters, and properly belong to a description of life among the homestead settlers; but I shall only allude to a portion of the evidence in two cases, partly to show some of the hardships the settlers endured, and the extremity to which parties resorted to procure and introduce testimony.

One of the trials disclosed the hardships and endurance of the women among the settlers. A single lady, of uncertain age, had taken a homestead in company with her relatives and other settlers, and had been driven from her claim by Indians. After a short absence they returned, and while her relatives and the settlers harvested their grain, she cooked for them, and in the meantime hoed the patch of potatoes on her claim, being well armed, and on the lookout for Indians.

"And she said she had a rifle,
And a rattling pair of pistols."

On the witness-stand she testified as follows: "I hoed my potatoes while I had two navy revolvers in a belt around my waist, and near by as good a rifle as ever was fired."

"Had you been attacked by Indians, what would you have done?" inquired her attorney.

"I would have fired my last shot and then fought with my hoe and rifle!" exclaimed the lady, emphatically; and, judging from her physical development, I think she could have given any two Indians a rough hand-to-hand fight. Though modest in her demeanor, at the trial, she exhibited marked evidence of courage and bravery in time of danger. A subsequent Indian raid had driven the settlers from their homestead claims a second time, and she failing to return to her claim within the period limited by law, the contest was brought to cancel her homestead entry. The local officers and the department found, from the evidence, and so held, that being driven from her claim by the Indians was not a voluntary abandonment, and her homestead entry was permitted to remain intact upon the record.

One amusing case tried before the local officers was known among the lawyers as the "Third Creek School House Case," so called from the fact that a school house known by that name was a prominent feature in the evidence adduced at the trial. The "dug-out" of the defendant stood near the school house, and during his absence formed a monumental playground and recess resort for the pupils. It had as much attraction for the frontier school-boy, whose genius was hemmed in by the pages of a spelling-book or first reader, as Bunker Hill monument has for a class in history or geometry in a select school in Boston. On one occasion, at recess or playtime, the school-boys were playing that now nearly obsolete game of ball called "Ante Over." The ball finally found a lodgment among the weeds and grass on the sod roof of the "dug-out," and a juvenile, expert at climbing, in attempting to procure the ball, fell through the roof to the dirt floor. A commotion was the result among the boys for the safety of their playmate, and they rushed into the "dug-out" to find him unharmed, save a few slight bruises. As that incident was fastened on their youthful minds, they were called as witnesses in the contest, to prove the dilapidated condition of the "dug-out." In the same case the defendant, disregarding the fourth commandment, was repairing the roof of his "dug-out" while religious services were being held in the school house, and the minister and a number of his congregation were called as witnesses to prove that the defendant had forfeited his right to the land for working at his "dug-out" on Sunday.

Many of those contests required several days to try them, and bring out all the testimony, under the liberal and unlimited rules and privileges governing the cases in the local office, and the settlers and spectators would sit for days on chairs or rough benches, paying eager attention to the reiterated statements of the witnesses, while they changed their tobacco quids from side to side, and bedewed the cottonwood floor and walls of the Land Office with copious expectorations of the infusion of "navy plug" or fine cut.

Such is a brief description of some of the daily scenes in and about the Land Office for several years after the office opened for business in the Republican Land District.

The general good feeling and hilarity that prevailed among the settlers and lawyers, during those early frontier times, served to lighten the otherwise monotonous, weary hours of labor and fatigue passed by the local officers at the desk, examining plats, tract-books and records, and answering the same questions many times during the business hours of each day. As the memory comes floating back from the past, of the kindly greeting of the settlers as they sat upon blocks of wood, rude benches, or lounged upon the prairie grass about the office, the anecdotes, jokes, stories and hilarity even now come welling up with a thousand other cherished recollections of those early times, when the half-dozen cabins constituted the now thriving city of Concordia, when the antelope trotted leisurely across a portion of the town site, and the prairie dogs built their diminutive village, unscared, near where the railway depot now stands, surrounded with freight and ponderous machinery.

Such are the progress and development of Northwestern Kansas. Though the result may have been secured by hardships, by weary days of travel in covered wagons over the horizon-bounded prairie, and lonely hours about the campfires at night, made more lonely and desolate by the howl of the coyote, it is the work of the settlers who endured the hardships, under that wise and beneficent act of Congress—"the Homestead Act." The memorials and lasting evidence of it all may be found in the records of the land offices for the Republican and Northwestern Land Districts.

CHAPTER 12.

THE DUG-OUT AND WEDDING.

The primitive dwellings of the homestead settlers on the frontier, commonly called "dug-outs," deserve a passing notice.

As they are temporary structures, hastily constructed by the settlers for the immediate use and present comfort of their families until more substantial residences can be erected, they will soon become relics of the past, a correct description of which can only be ascertained by reference to the evidence taken in litigated contest cases now on file in the General Land Office, unless some literary adventurer publishes an improved dictionary, or adds a new illustration to the subject of architecture in the American Cyclopedia.

The moss-grown sod roofs and mildewed walls of the different dug-outs on land that has been the subject of contest in the Land Office, have been so often described by witnesses *pro* and *con*, that their characteristics will not be forgotten by the present generation of homestead settlers; but in order to perpetuate the recollection, I insert a brief description for the benefit of those who in the future may desire to know the design or style of architecture that prevailed among the homestead settlers in the first settlement of the country.

There were a few log cabins, but the scarcity of timber compelled economy to such an extent that the excavation in the hillside, with earth walls to shield the family from inclement weather, composed the larger number of the temporary dwellings of the first settlers. There has scarcely been a litigated contest tried in the Land Office without its attendant minute description of a "dug-out," and the other indispensable requirements to establish a settler's right, viz.: pig-pen, chicken-house, corral, etc.

The site for a "dug-out" is generally selected on the side of a hill or ridge. An excavation is made twelve by fourteen feet, more or less—often less—with large forks set firmly in the ground at each angle, poles being laid across sufficiently strong to hold a heavy weight of sod for the roof. On the poles are laid puncheons, or boards if they can be procured, covered with prairie sod of a uniform thickness. I have seen prairie-grass, weeds and the sunflowers nodding in the wind, all growing on the sod roofs of "dug-outs." The front part of the structure is generally built of stone or logs, with spaces left for a door and one or more small windows. The floor is the earth leveled and smoothed with a spade.

Many of those "dug-outs" during the first settlement of the country gave evidence of the refinement and culture of the inmates; they sheltered families who had "seen better days" and enjoyed pleasanter experiences than roughing it on the frontier. The wife had been reared in refinement and had moved in cultivated social circles in the older States, as shown by the neat and tastefully-arranged fixtures around the otherwise gloomy earth walls. The earth floor was neatly and cleanly swept, the walls were whitewashed, and upon them were pasted the newspapers that had been read by the family, among them the *New York Ledger*, *Saturday Night*, *Fire-Side Companion*, and the *Tribune*, or other weeklies giving general news, according to the State from which the family emigrated. A neatly polished shelf, supported by pins driven into the wall, contained the holiday gift books, album, and that indispensable household treasure, the family Bible.

In one of those dug-outs which I visited on a certain rainy day, an organ stood near the window and the settler's wife was playing "Home! Sweet Home!" while the head of the house was half-soling his boots. With every household article in its proper place; the earth floor neatly swept; the hospitable greeting by the settler and his wife extended to the casual visitor; a social hour passed with the settler and his family, further sweetened by a good dinner, was a sufficient recompense for a visit to many such "dug-outs." The genuine hospitality, the evidences of refinement and culture which surrounded many of those sod-roofed dwellings, furnished ample proof that the spirit of the frontier settlers was invincible—that they were capable of extending a desirable civilization into the wilderness, far from the scenes amidst which they had been reared—and that by industry they would convert the waste places into fields of of plenty, and cause them to bloom like the gardens of beauty.

On Sunday mornings, when the bright summer's sunshine had dispelled the dew from the prairie-grass, the mother has stood at the threshold of the "dug-out" and watched her neatly but plainly dressed children, as hand in hand they disappeared across the prairie to attend Sabbath school in the district school house, and piously committed their safety to the care of Providence. They were her jewels, and she had bright hopes of their future happiness and success, though they were reared on the frontier.

Though primitive in architecture, the "dug-outs" of Northwestern Kansas have been refuges for many families when portions of the country have been visited by tornadoes, that occasionally sweep over the plains with resistless power, destroying farm-houses and villages. While more pretentious dwellings and barns in the track of the tornadoes, have been utterly demolished and swept away, with great destruction of life and property, the inmates of "dug-outs" have escaped injury, and the modest structures have withstood the fury of the storms. They constitute a safe and convenient refuge during such convulsions; and when a more substantial and elegant residence is erected by the settler, the old "dug-out" should be permitted to stand, not only as an interesting memento, but as a safe retreat in case of a threatened disaster from the elements.

I was invited by a settler to visit one of those "dug-outs" and witness the marriage of his daughter. "Be sure and come," said the hospitable farmer and his wife, as they departed from town, with a goodly portion of provisions to be transformed into a wedding dinner. It was a mild October day, and committing the care of the office to the Register and clerks, I shook the dust of Concordia from my feet, and rode into the country to attend the wedding at the "dug-out" of my friend.

His primitive mansion was situated at the base of a ridge, surrounded with a beautiful grove of his own planting. As I rode up the lane, on one side was a corn-field, the frosted blades rustling in the wind, and the weedless ground was checkered with gold-colored sweet pumpkins; on the opposite side was a corral in which several well-fed milch cows stood lazily, or leisurely walked towards the watering-trough at the sound of the creaking of the well-wheel, denoting that it was the time for moistening their capacious stomachs with nature's beverage. As I approached the dwelling my friend was issuing his commands to the playful children, while caring for the teams that had arrived; while his wife and a couple of neighbor ladies were dextrously plucking the feathers from the body of a large turkey and other fowls, and the prospective bride, blushing and happy, was receiving her lady friends. Beneath the branches of the grove was a sward of blue-grass, sown and cultivated by the settler. After caring for the teams, he showed me his farm, his fields and his improvements, closing his conversation by avowing his determination to build a more substantial residence in the near future.

The hilarity of the guests upon arrival, evidenced that they were thorough partakers of the genuine enjoyment of witnessing a wedding on the frontier. The whole scene was one of happiness and pleasure.

A number of the neighbors and friends of the parties had arrived, conspicuous among whom was the officiating clergyman, the Rev. Romulus Pintus Westlake, with the conventional plug-hat shading his manly brow, his bland countenance wreathed in happy smiles.

I will not attempt to assume the *role* and claim the privilege of the professional "Jenkins," who frequents places of fashionable resort to describe stunning toilets and print personal gossip; but let this suffice for a description of the toilets of the homestead wedding party: that the neat calico dresses and sun-shade hats of the ladies, and the cheap but durable raiment of the gentlemen, were in harmony with the times, and with the plain domestic spirit that prevailed in the homestead region. The hour having arrived for the ceremony, the "dug-out" being found inadequate to accommodate the assembly, an adjournment to the grove was carried unanimously. The Rev. Romulus appeared to be in his natural element, supremely happy, prefacing the ceremony with a flow of eloquence, and an elaborate allusion to the happy union about to be consummated beneath the canopy of heaven, according to the institutions and laws of God and man. After he had pronounced the parties man and wife, he proceeded, in an impressive manner, to give them some gratuitous advice as to their marital obligations, throwing in some camp-meeting phrases concerning their duty to lead Christian lives, such as, "Train up your children, while young, in the way they should go, and when they become old they will not depart from it," and kindred benevolent injunctions! Good advice, I thought, but rather premature.

During the delivery of this exhortation, Romulus became so impressed with his subject, that with the surrounding scene and his anxiety for the happiness of the entire assembly, he appeared to be entranced, as though suddenly inspired by the thought that he was in the midst of a wedding revival, similar in excitement to a camp-meeting outpouring. His musical and earnest voice rang out clear on the autumn breeze to the remotest portion of the assembly, and these are some of his expressions:

"Are there not more of the young people in this crowd who desire to be made as happy as this couple, by uniting in the holy bonds of wedlock? If so, now is the accepted time. Let them come forth to the altar of conjugal bliss and embrace the present opportunity to be made happy."

That appeal seemed to produce an electrical effect, as a couple of swains stepped forth from their seats, each leading by the hand a blushing damsel, with whom they had previously commenced a preliminary courtship.

At this juncture in the proceedings Esquire O——, a venerable homestead settler, rose and objected, when a controversy occurred between him and Romulus, the 'Squire saying:

"I have been *Jestice* of the Peace two terms, and the *statut* of Kansas does not 'low any one to marry without *fust gittin'* a license, and as I am a *Jestice* of the Peace, and by *virtoo* of my office as a peace officer it is my *bounden* duty to object to these young people being married without *fust* gittin' a license."

Romulus replied:

"'Squire, I can marry them, and they can afterwards procure the license, for human events are uncertain, and when a woman is once in the notion of marrying, if she is disappointed she may not again consent to marry the man to whom she is first engaged, and should that be the misfortune of either of these young men, they may drift away on the sea of despair or commit the unpardonable sin of suicide. Remember, 'Squire, that you and I were once young."

The 'Squire replied, earnestly:

"I say the p'int o' the business is, the *statut* requires the license shall be issued before the marriage can be permitted, and it is my bounden duty, as a Jestice of the Peace, to see that the law is not violated."

"'Squire, I can marry them, and the license can be issued and dated back. I have known marriage licenses to be dated back under less favorable circumstances than those surrounding these young people."

The 'Squire still persisted in his objections, and the matter was finally submitted to me. I promptly decided that the Justice was right, when Romulus yielded, and advised the young men to "hold the fort" until they could procure the license, and he would then marry them free of charge.

In due time the tables were spread in the grove, and dinner announced. Such a dinner! It seemed that culinary skill had been taxed to the utmost to prepare the bountiful repast spread before the assembly—roast turkey, pyramids of cake, columns of pumpkin pies, superb coffee, goblets of sweet milk, neatly indented rolls of choice butter, &c., &c. But why describe it? To appreciate such a dinner, one must be seated at the table and assist in dispatching it. I could verify my description of it by the affidavit of the Rev. Romulus, whose fondness for good dinners was signally displayed on that occasion. I became alarmed lest he might injure his health, as large portions of the turkey rapidly succumbed to his voracious appetite. My astonishment increased, however, when he attacked a column of pumpkin pies, and created sad havoc among the jelly dishes and other dessert.

Dinner over, the fiddler took a position on a bench under the shade of the trees, and the young people quickly formed for the customary dance. A number of the middle-aged men and women joined in the quadrille, and seemed to have renewed their youth as they tripped lightly to the inspiring music.

The Rev. Romulus became silent and thoughtful, and uttering some partially incoherent remarks about the waywardness of mankind, called for his horse. I insisted on his remaining until the quadrille was ended, when we could say farewell to our host and the bride and bridegroom, and as an extra inducement intimated that at the close of the ceremony he had omitted to salute the happy couple. I also urged that after taking leave of our friends I would accompany him, as our route homeward was in the same direction for several miles.

Meantime the dance progressed. The whole scene was one of enjoyment. The music, borne by the breeze to every part of the grove, and interrupted only by the clarion voice of the prompter, created a marked sensation of pleasure. A group of elderly ladies gossiped as they watched the agile movements of the young men, and graceful, modest promenading of the young ladies. A stalwart settler, leaning against a tree, declared to a neighbor that, "no new got-up cotillion could compare with the 'old Virginia reel,' when he and the old woman were young."

The healthful, blushing faces of the ladies, and sun-tanned features of the gentlemen, when dancing, were radiant indices of genuine pleasure and happiness.

Romulus assumed an air of sadness, and addressing me said, "The human heart is as prone to evil as the sparks to fly upward." As we rode down the lane his wit and humor revived, and when we separated beyond a grove, his musical voice rang out clear on the evening air as he sang, "When I can read my title clear," etc.

I could but reflect that, though eccentric, he possessed a noble heart, and the cause of Christianity was in trustworthy keeping within the boundaries of his circuit on the frontier.

CHAPTER 13.

THE HOMESTEAD REGION.

What induced the map-makers and atlas-publishers, within the last quarter of a century, to designate any part of Northwestern Kansas as a part of the American Desert, is a mystery to every immigrant and homestead settler who has penetrated this region. It was laid down on the map as a desert waste. During that period, however, it was watered by beautiful streams, and covered with grass, on which thousands of buffalo fed, flourished, grew old and died, or were killed by Indians.

Prior to the year 1870 that part west of the sixth principal meridian had but few settlers; few had ventured beyond that limit, a few miles west of which was the traditional dead-line of the Indians. The country was considered by hunters and travelers as a barren waste, subject to drouth and to murderous raids of hostile Indians. It had borne a bad name as to its capacity to support a population. In 1868 and 1869 the State officers coöperated with the General Government, and put a stop to the Indian incursions by maintaining troops at points on the Republican and Solomon rivers.

No Indian attacks were made on the Republican and Solomon valleys after the summer of 1870. By the time the Land Office was established and opened for business at Concordia, the tide of immigration was immense into that part of the homestead region west of the sixth principal meridian. The buffalo and elk fled westward at the sight of the white-covered wagons and camp-fires of the settlers. The Indian warriors looked for the last time upon their favorite hunting-ground, while civilization advanced and occupied their ancestral homes on the great plains.

In spring-time the scene presented to the immigrants was one of vernal beauty. The principal streams in the homestead region are the Republican and Solomon rivers. Their tributaries are numerous, all more or less skirted with timber, attracting the immigrants to settle along their shady banks after their weary journey from the older States; and during the summers of 1871 and 1872, camp-fires at night lighted the landscape all along White Rock, Prairie Dog, Limestone, Buffalo, Pipe and Asher creeks. Little Blue, Mill creek and other streams had furnished shady retreats and camping-ground, in earlier times, when their borders were the frontier, The Republican river rises in Colorado, thence running into

Nebraska for nearly two hundred miles, thence into Kansas in a southeasterly course until it unites with the Smoky Hill and forms the Kansas river, near Junction City.

The Solomon river has two branches, commonly called the North and South forks, rising near the west line of the State, and forming the main stream near Cawker City.

But why describe those streams, when every homestead settler and traveler has wandered up and down their banks, and when flaming maps of that region decorate the depots of the Central Branch Railway Co., hotels and real-estate offices, in localities where, but a few years ago, the buffalo ranged undisturbed?

It was formerly said by the hunters, trappers and plainsmen that the country drained by the Republican and Solomon contained poor soil, only capable of producing buffalo grass, and only fit for the habitation of Indians, and as a grazing-ground for buffalo. I have a distinct recollection that when a school-boy my atlas designated this region as a part of the American Desert. Settlement and cultivation have shown that instead of its being a barren plain, the soil is fertile and the country well watered and comparatively well timbered, capable of supporting a vast population of industrious, enterprising people, with sufficient water-power for extensive manufacturing enterprises. Why the country received such a description as, "a barren, treeless plain," by the early travelers across the plains, is a mystery, when as far back as 1842 Col. John C. Fremont, who passed up the Republican river its entire length, gave a graphic and correct description.

"We arrived," says Fremont, "on July 8, at the mouth of the Republican. For several days we continued to travel along the Republican, through a country beautifully watered with numerous streams, handsomely timbered, and rarely an incident occurred to vary the monotonous resemblance which one day on the prairie here bears to another, and which scarcely requires a particular description. Now and then we caught sight of a small band of elk, and occasionally a band of antelope, whose curiosity sometimes brought them within rifle range, would circle round us and then scour off to the prairies.

"The bottoms, from the immediate valley of the main river, were generally about three miles wide, having a rich soil of black vegetable mould, and were well interspersed with wood. The country was everywhere covered with a considerable variety of grasses, occasionally poor and thin, but far more frequently luxuriant and rich.

"We have been gradually and regularly ascending in our progress westward. On the evening of the 14th, when we encamped on a little creek near the valley of the Republican, two hundred and sixty-five miles by our traveling road from the mouth of the Kansas, we were at an elevation of 1,500 feet.

"At noon on the 23d we descended into the principal fork of the Republican, a beautiful stream with a dense border of wood, consisting principally of varieties of ash. The stream was forty feet wide and four feet deep. It was musical with the notes of many birds, which, from the vast expanse of silent prairie around, seemed all to have collected here. We continued during the afternoon our route along the river, which was populous with prairie-dogs, the bottoms being entirely occupied with their villages, and late in the evening we encamped on its banks.

"The prevailing timber is blue-foliaged ash, and ash-leafed maple. With these were cottonwood, and long-leafed willow."

Such was Fremont's description of the Republican valley in 1842.

Nearly parallel with this valley to the south, within less than the distance of a day's journey, was the Solomon valley with its wide bottoms, fertile but undeveloped soil, timber-bordered creeks, luxuriant grass—a valley in its native beauty.

At the time Mr. Greeley made his stage-coach trip through to Denver, he passed along the divide between the Solomon and Republican, and did not examine or explore to any extent the valleys and tributary streams. Hastily passing over the country, without making a careful observation, he reiterated the old prejudice against the plains and the country through which he traveled. Had he passed up either the Republican or Solomon valleys and taken time to make minute observations, doubtless he would have arrived at a different conclusion as to the character of the country, its soil, timber, water, etc.

Prior to the settlement of these valleys, the whole country drained by the Republican and Solomon rivers and their tributaries was a plain of surpassing loveliness in natural beauty, with a luxuriant growth of buffalo and bunch-grass—the best grazing-ground in the West, upon which vast herds of buffalo fed at will, while the great antlered elk, deer and fleet antelope roamed over the prairies, or browsed amid the thickets of wild plum bushes at the base of the gradual elevations. No streams on the plains at that time ompared with the tributaries of the Republican and Solomon for timber.

On the bottoms were groves of oak, ash, cottonwood, elm and walnut. The smaller streams were more or less skirted with timber, not tall and stately trees like those that fell by the strokes of the woodman's ax in the early settlement of Ohio and Indiana, but timber, although of an inferior quality, yet forming beautiful groves on the extensive prairies, as if designed to furnish camping-ground and shady resting-places for weary travelers across the plains.

When the settlers penetrated this region they found it as Fremont had described it, and all their hopes of a grand country were realized when they beheld these valleys and plains stretching out before them, well watered and comparatively well timbered, awaiting development by industry and enterprise.

This region in many localities is supplied with magnesian limestone, white as marble or of a light gray or yellow color. It is easily worked when taken from the quarry, and can be sawed with a hand-saw and dressed with a carpenter's plane, but becomes hard and durable on being exposed to the atmosphere. This limestone formation contains the remains of petrified fish, sea-shells and bones of marine animals, surrounded with the formation composing the strata of rock.

Coal abounds in Cloud and Republic counties, of lignite variety; it makes good fuel, and is used extensively in the surrounding country.

Within this region are situated the salt marshes of Kansas. Professor Mudge in his Geological Report of 1866 says:

"The great supply of salt which is to meet the demand for Kansas and the neighboring States lies at various points in a tract of country about thirty-five miles wide and eighty long, crossing the Republican, Solomon and Saline valleys. The signs of the deposits are seen in numerous springs, but more frequently in extensive salt marshes."

The largest marshes are in Jewell and Republic counties. The great marsh in Jewell county from a distance resembles a small lake with white, crusted shores. The salt water evaporates, forming a crust of pure salt on the shore, which at all times in dry weather can be scraped up and used by the settlers. About this marsh a large number of cattle are herded for grazing purposes each summer by the stock-raisers and settlers in the vicinity. During the spring and autumn large flocks of wild-geese, brant and wild-ducks are about the marsh, generally remaining about two months during their migrations north and south, furnishing the best wing-shooting for sportsmen any where in the State. Let a gunner secrete himself on the shore of the marsh, either in spring-time or autumn, and watch the large flocks of wild-geese, blue and white brant, sailing around as if reconnoitering the position, while the "quack, quack" of the wild-ducks mingles with the incessant sonorous gabble of the geese, as they splash into the water, or waddle amid the tall grass, water-lilies and weeds along the margin, and he will be delighted with the scene and rewarded with an abundance of game if he is a good shot on the wing.

It is only a question of time and capital when these marshes, instead of being grazing-ground for stock, and hunting-ground for sportsmen, will be utilized by the manufacture of salt for the western market; and when the Central Branch Union Pacific Railway is extended to Denver, as it doubtless will be, I am of opinion that large quantities of salt will be made and shipped from Northwestern Kansas to the Rocky Mountain market.

The Republican river derived its name from the "Pawnee Republic," the seat of empire of the Pawnee Indians for ages, on the head-waters of that river. The Pawnees were once a powerful tribe, and their warriors hunted the buffalo in all this region west of the Big Blue river, in the distant past, and moored their canoes along the Republican, from its source to its mouth, and danced their war-dance in the groves bordering that stream and its tributaries long before white men had set foot upon this soil, save the followers of Coronado, who marched across the country three centuries ago. Wacanda, or the "Great Spirit Spring," situated on the north bank of the Solomon, a few miles below the forks of that stream, was a consecrated spot among the Indians, where they repaired, under the direction of their prophets or medicine-men, and worshiped and sacrificed to the "Great Spirit" by various ceremonies, throwing into the spring arrow-heads, trinkets and other tribal trophies.

I give the following description of the spring from the "Homestead Guide," written and published by that frontier writer and explorer, F. G. Adams, Esq., the present worthy Secretary of the State Historical Society:

"Three miles below the forks of the Solomon, and about the same distance from Cawker City, is the 'Great Spirit Spring,' a mineral well, situated in a natural mound of rock of calcareous tufa, thirty feet high and fifty yards across at its base. The mound is not so steep at its sides but that a carriage can be driven to the top of it, and around the well, which is in the center, and a rod across.

"This is a wonderful natural mound, though geologists are familiar with the manner of its formation. The water, as it comes up from the bowels of the earth, holds in solution various mineral substances. Iron, salt, carbonate of lime, &c., (chiefly carbonate of lime,) coming to the surface and flowing over the ground, in contact with the air, the mineral matter is deposited on the surface of the ground, the flow bringing new particles of such matter constantly. These particles become concreted together, forming rock.

"In the case of the 'Spirit Spring' the rock lies in plates, or layers, a hand's thickness and less, the plates lying so loosely one above another that in many places the water of the spring percolates through between them, oozing out at the sides of the mound, and running down, forming oblique or perpendicular lamina, concealing the edges of the horizontal layers. In many places, where the water now oozes out, crystals of salt and alkaline matter are found.

"The 'Spirit Spring' mound has doubtless been in process of formation since the subsidence of the sea, which covered this region in a former geological period.

"The 'Great Spirit Spring' is a singular curiosity."

I visited this spring in the summer of 1872, and found it as described by Mr. Adams in his "Homestead Guide."

In the far-distant past this region was doubtless a salt-water sea, the high points and bluffs small islands, about the shores of which were vast quantities of oysters and shell-fish, as indicated by the impress of shells found in the limestone quarries on the tops and slopes of the highest hills; while fish changed to stone, sharks' teeth and remains of sea-animals are found in the rock.

From these indications I am of opinion that the sea was shallow in depth, with sedgy, marshy shores, and the climate at a high temperature, as there is abundant evidence that the large saurian crocodile existed here during that period. It is possible, if not probable, that when the eruption threw up the Rocky Mountain range, it caused the water of this sea to subside and flow to the eastward, thus forming the channels of the rivers that flow into the Missouri.

As the place forming the sea gradually filled up with the soil of the higher points, carried down by the action of the water, vegetation, consisting of grass and plants, sprang up, and that which was once a sea gradually became a plain, covered with vegetation, over which the "mammoth" roamed at will prior to the ice period.

The past history of this region is a matter of speculation, as the traditions of the Indians only reach back a few centuries, at most, and the first white men who traversed this country doubtless were the followers of Coronado, in his search for gold in 1541.

That adventurer marched from Mexico, in a northeasterly direction, across what is now the State of Kansas, crossing the Smoky Hill and Republican rivers near Junction City, going as far east as Nemaha county. I am of opinion that on his return he marched directly west from Nemaha county, crossing the Big Blue, and penetrated the country watered by the Republican and Solomon rivers.

The old Spanish fort—the remains of which still exist—near Jewell City, on the bank of a branch of Buffalo creek, in my judgment was built by Coronado, either for winter quarters during severe cold weather, or as a defense against the powerful tribe of Pawnee Indians, whose seat of empire or republic he was then approaching. There is little doubt in my mind that Coronado built this ancient fort for defense against a siege by the Indians, or as a rendezvous while he explored the surrounding country in search of gold. It may possibly have been built by Dutisne, the French explorer from New Orleans, who in 1719 marched across what is now the State of Kansas, from the southeast to the northwest portion, as far north as the fortieth parallel—some distance north of this ancient fort. It is designated the "Old Spanish Fort," upon the supposition that it was built by Coronado.

Whether my theory of its origin is correct or not, the remains of this ancient fort constitute an interesting relic of the past. The country drained by the Republican and Solomon and their tributaries abounds in fossil remains of rare value, and many souvenirs of the past doubtless will be found by geologists upon careful examination.

In some localities petrified wood is found, and bird-tracks and the impress of the leaves of forest trees are discovered in the brown sandstone strata in Cloud and Washington counties. I have seen a number of fish that have changed to the limestone usually found in the rock that has been quarried. At what period of the world's existence the fish, now become stone, existed, or the petrified woods found in this region were parts of growing trees, with branches and leaves, is a matter of speculation in my judgment, a problem which I am desirous of submitting to the geologists; but I am entirely satisfied of one fact—that this country was a sea in the far-distant past.

The bones of a mastodon were found in Jewell county a few years ago. A few miles south of Concordia, in Cloud county, on Pipe creek, a number of pieces of crockery were found one foot or more under the surface of the ground. Some of the pieces had been neatly and tastefully decorated by cross-lines and a raised border or flange around the rim of the vessel, while other fragments or pieces showed that the vessels of which they formed a part were plain, not showing the ornamental carving. From their appearance the urns, of which these fragments formed a part, were made from a kind of clay found in the bottom of the creek, and dried in the sun, or burned to a proper solidity for use. Whether they were made by the mound builders or a wandering portion of the ancient tribes that inhabited Southern Colorado and New Mexico, is a matter of conjecture. A large spear-head made of blue flint was found in the locality where the fragments of crockery were discovered. As there is no stone of that character in this region, it was doubtless imported by a neighboring tribe, or perchance it may have been the weapon of some youthful prince or hero from the village of the mound builders on the banks of the Missouri, on a visit, or perhaps wooing a dusky maiden in the tent of a distinguished ruler, in Nature's beautiful grove, long since defaced and destroyed by the winding course and irregular current of the waters of Pipe creek.

This whole region, from the Big Blue river to the western boundary of the State, is a prairie country of surpassing loveliness, with the usual number of groves of timber found in any part of the State.

In addition to the fossil remains and petrifications, the salt marshes and coal formations, the face of the country and landscape scenes present some beautiful views.

The "Twin Mounds," so called, on the head-waters of Elm creek, in Cloud county, consist of two conic elevations higher than the surrounding country, from the summits of which a fine view is had for many miles, overlooking a vast area of undulating prairie, checkered here and there with fields and farm-houses, and from which points a beautiful and extended view is had of the Republican valley.

Just west of Jewell City, in Jewell county, is a high point, from the summit of which a very extensive and beautiful view may be had of the surrounding country. To the north the outlines of the timber and valley of White Rock creek are visible, and to the eastward the timber on Marsh creek and the dim outlines marking the course of the Republican,

can be seen; while to the south the timber skirting the Solomon is distinctly visible, and far to the southwest the blue, smoky appearance indicates the outlines of the Blue Hills; and directly west from this elevated spot may be seen the bluffs overshadowing the Limestone creek, the most beautiful of the small streams in this region. Below this point, in Jewell county, and stretching away in every direction, is the level or undulating prairie, of fertile soil, rapidly being converted into farms, groves and orchards, and dotted with dwellings and school-houses. It is a magnificent view, and ere the surrounding natural scenery is disturbed by the necessities of industry and enterprise it will compensate any pleasure-seeking adventurer to visit that point and view the surrounding country.

On the south bank of White Rock creek, in the northwest part of Jewell county, is an elevation or cone, commonly called the Chalk Mound, owing to a large amount of the soft, white magnesian limestone on its surface. It is a curiosity, a single elevation rising abruptly from the plain, surrounded with the best of agricultural land. It may be seen from a considerable distance.

In all of the counties through which the Solomon river and its two main branches, the North and South forks, flow, are natural curiosities, among which scientific explorers and geological students might readily find specimens of value, and formations that would be interesting. The Blue Hills; the elevations, commanding extensive views; the limestone formations; the coal formations; the salt marshes; the Great Spirit Spring; the landscape and natural scenery; and last but not least, the extensive tract of valuable agricultural land in Northwestern Kansas—all these distinguish the "Homestead Region" as a peculiarly attractive portion of the State.

CHAPTER 14.

LEW CASSIL, THE TRAPPER.

The wild wanderings and daring exploits of trappers, hunters and scouts on the plains have furnished the basis, real or fictitious, of many of the romances in "yellow-covered" literature, "dime novels" and story contributions in newspapers, while many a bold adventurer has lived and died unknown, save through a brief account of his death related by some friend, or by his name perchance figuring in a list of victims of some Indian massacre.

One among those who have thus perished on the plains of Kansas, and whose name deserves to be embalmed in any truly historic sketch of the Republican and Solomon valleys, was Lew Cassil, the trapper and hunter.

It was late in autumn, and the early frosts of October had touched the leaves of the trees and bushes that grew along Elk creek, near the east line of Cloud county. The evening air was cool and bracing as the sun disappeared behind the western plains, partially obscured by the hazy smoke of an

Indian summer evening in Kansas. It was the autumn of 1860, when but few settlers had crossed the Blue river.

On a high ridge to the east of Elk creek, overlooking the valley of the Republican, stood a powerfully-developed man, perhaps thirty years of age, dressed in the usual garb of a hunter and trapper, holding in one hand a rifle, while the other caressed the neck of a well-formed, but jaded black horse. The belt around the waist of the hunter contained two large revolvers, while the traps fastened at each end of a rope thrown across the saddle, and the roll of blankets attached to the saddle, showed that the owner was a trapper.

Reader, this is no love story, for there is no woman mentioned in the entire narrative.

Lew Cassil, for such was the person I have attempted to describe, had traveled on horseback from Southwestern Minnesota to trap beaver and pursue his love of adventure on the Republican and Solomon rivers.

Below, on the east bank of the creek, stood the small cabin of Moses Heller, who had ventured farther westward in Northern Kansas than any other settler. As the sun sank behind the western horizon, Cassil was in the act of mounting his horse and proceeding to the cabin on the bank of the creek, when he discovered a volume of smoke ascending from a point on the west bank about a mile above the cabin; and upon closer observation he saw a large body of Indians in camp preparing their evening meal.

"There is deviltry in that out-fit," said Lew, "and afore mornin' they are sartin to steal something from the settler in that cabin, fur it's the natur of an Indian to steal; or I 'low they'll do worse than that—maybe they will kill and scalp the old ones and take the kids prisoners. There's no trustin' a red-skin, accordin' to my knowledge of human natur', if they are human, and it is Lew Cassil as has his doubts on that pint. Come, Raven," addressing his horse, "let's go down to the cabin, and while you're fodderin' I'll notify the boss of that crib of the copper-colored countenances that are likely to be peekin' through his winder 'afore mornin', and lend him a helpin' hand, if need be, fur its not in the natur' of Lew Cassil to desert a friend, or leave the cabin of a settler when there is danger near;" and thereupon he mounted his black horse and rode down to the cabin, where he was met and kindly welcomed by the owner, Mr. Heller.

After an exchange of greetings, and the horse had been provided for, Mr. Heller invited Cassil to enter his cabin and accept his hospitality. Cassil immediately informed his host of the near proximity of the Indians, and offered his services to assist in defending the cabin should an attack be made; but the stalwart settler replied that the Indians had been hunting during the day up the valley, by the report of their guns, and he did not think they would molest him—yet Cassil observed that the settler manifested some anxiety.

When they retired for the night, Cassil persisted in sleeping under his blankets near his horse, Raven, as he feared the Indians might steal him during the night. On the following morning, after Cassil had eaten breakfast with the hospitable settler, and while they were discussing the location of the streams that flowed into the Republican and Solomon, and the prospect for trapping beaver therein, they suddenly found themselves surrounded by a large band of Indians, who said, through their interpreter, that they wanted to have a talk with the "big man," meaning Heller. They said they wanted him to tell all the white men the boundary line of the Indians' hunting-ground in the Republican and Solomon valleys—that all the country west of a certain line was the hunting-ground of the Indians, and that the whites must not hunt or extend their settlements beyond it.

"Where is that dead-line?" said Cassil to the interpreter.

As near as the interpreter could describe it, it crossed the Solomon, north and south, near the mouth of Pipe creek; thence, by way of the creek, over the divide to the head of

Wolf creek, in Cloud county; thence down to the Republican river; and thence northeast to the mouth of the Big Sandy, in Nebraska.

"Well, Mr. Interpreter, or Ingen, or whatever you call yourself," said Lew, "you tell your copper-colored companions that I am an American citizen, and that my father fit under Jackson at New Orleans; and I intend to trap beaver and hunt on the Republican and Solomon, and don't propose to be hemmed in by any dead-lines, guide-posts or other Ingen humbugs!"

Heller endeavored to check Cassil, but to no avail.

The Indians observed Cassil closely, and one of them began to examine his horse and traps, when Lew, by a trick he had learned his horse, caused him to kick at and bite the Indian, who narrowly escaped, and as he rejoined his companions he shook his tomahawk and bow at Cassil, as much as to say: "I meet you sometime!"

Cassil continued to trap and hunt during the winter season, and during the summer spent a portion of his time either at Mr. Heller's, Mr. Brooks's, or at the residence of Mr. Haines, then residing at what is now the town of Clifton, working in the field for those men, or scouting in the vicinity when Indian raids were feared, and each autumn going upon his usual buffalo hunt farther westward.

In the fall of 1862 Cassil was joined, at Clifton, by a trapper from Illinois, who had an outfit and traps, and soon an attachment existed between them only known and appreciated by trappers and hunters. Meantime a few families had settled on Elm creek, a few miles west of Heller's, on the south side of the river. Cassil's companion was a small man, and called by Lew and the settlers, "Little Tim."

Their first adventure, before the trapping season commenced, was a buffalo hunt on Pipe creek, near the southern boundary of Cloud county. Cassil was mounted on Raven, and Tim on a mule of doubtful disposition. They had managed each to bring down a buffalo, and had become separated a distance of some hundred rods, when Tim fired at a bull at close range, wounding him, and at the report of his gun the mule threw Tim over his head. The buffalo made a pass at him, tearing a part of his clothing from his person, when Tim seized the buffalo by the tail and endeavored to draw his hunting-knife, with which to cut the animal's ham-strings. For a few seconds the scene was exceedingly ludicrous, though involving danger. The buffalo reared and plunged, and a part of the time Tim was in the air, and a part of the time on the ground, on his feet. Cassil, seeing his comrade's situation, galloped to his rescue, but when within a few rods of the combatants, Tim succeeded in severing the buffalo's ham-strings, and he was then powerless to do any more injury, when a shot from Lew's rifle killed him. Tim was exhausted and badly bruised, but after an hour's rest, during which Lew could not refrain from outbursts of laughter, as he alluded to Tim's elevated position in the air while holding on to the buffalo's tail, they signaled for their teamster, and proceeded to skin the buffalo they had killed, loaded the wagon with meat, and returned to the settlement.

At one time Cassil and Tim were trapping on the Republican, some miles below the mouth of White Rock creek, and they discovered that their traps had been disturbed, and, from appearances, that beaver had been taken from them. A band of Otoe Indians were known by them to be in camp to the northwest, on White Rock creek, and Lew, suspecting they had disturbed his traps, determined to reconnoiter the position, and at dawn of day quietly proceeded to the vicinity of his traps. He discovered an Indian raise a trap and take therefrom a beaver. The Indian's horse was fastened to a tree a short distance from the Indian, and Lew, quietly and unobserved, approached the horse, unfastened him, detached the rope from the bridle, made a slip-noose at one end, and, secreting himself behind the horse, waited patiently until the Indian approached, when he threw the rope suddenly around the Indian's neck, drawing it tightly, then passed it round his body so as to tie his hands behind him, despite the Indian's exertions to free himself. He then ordered the Indian to mount his horse, when Lew tied the legs of the Indian together, passing the rope round the body of the horse in such manner that the Indian could not dismount. When he had securely bound the Indian to his horse he blew a whistle, which brought Tim to the scene.

"Tim," said Lew, "hold this horse while I complete the outfit."

"What are you doing?" asked Tim.

"This 'ere redskin has been sowin' his wild oats in our trappin' ground, and I propose now he shall harrow them in."

Thereupon Lew cut a bush with the Indian's hatchet, and preceded to fasten it to the horse's tail, much to the annoyance and grievance of the animal, that manifested its displeasure by divers attempts to kick and bite its tormentors, despite Tim's exertions to steady the craft. When Lew had completed the task of securely attaching the bush to the tail of the horse, he told Tim to turn the head of the animal to the northwest, in the direction of the Indian camp, and "let him rip." The horse reared and plunged, and elevated his hind feet as he sped onward over the prairie, while the Indian swayed to and fro like a cottonwood sapling in a hurricane, and Lew and Tim alternately laughed and yelled with the fullest measure of enjoyment at the ridiculous scene, as the horse and rider passed beyond their vision. Lew suppressed his laughter long enough to indulge in sundry expressions, such as, "Hold on, redskin; harrow them oats in good, and maybe they'll grow!"

"Tim," said Lew, "we will now have to pack our traps and git out of this 'ere neck of woods, for I 'low when that 'ere horse and redskin gits into camp there will be a rumpus, and afore night they'll be down here after our scalps." They therefore packed their traps and proceeded down the river, killing an elk in the timber near where the city of Concordia now stands.

Trapping proving unprofitable, in the spring of 1864 Tim gave his traps to Cassil and went to the Missouri river towns to engage in freighting across the plains to the mountains. Cassil continued to hunt and scout for the settlers during the summer and autumn season, and during the following winter engaged in trapping.

While trapping during the winter of 1865 and 1866, on the Republican river below the mouth of White Rock creek, he discovered that his traps had been molested, and he kept a sharp watch of them, until finally one morning, at dawn of day, he saw an Indian raising one of his traps. In the opinion of Cassil, it then and there became necessary, for the welfare of the frontier and trappers generally, that that Indian should "pass in his checks" for the happy hunting-ground, and he passed them in—how, it is needless to mention. It was apparent to Cassil that the Indian must be concealed, in order, as Lew expressed it, "to throw the balance of the tribe off the trail," and as the Indian lay on the ice at the edge of a drift, it was but the work of a moment for Cassil to roll a large log from the top of a drift that fell on the ice with such force as to break and sink a large cake of it, and he then dragged the lifeless form of the Indian to the opening thus made in the ice, plunged the body into the water, and the current bore it away under the ice. Cassil then placed the Indian's gun in such position on the ice near the log as to indicate that the deceased had been sitting on the log on the pile of drift, and that the log had fallen, breaking the ice and drowning the unfortunate redskin. Cassil then hastily packed his traps, and concealing his tracks, proceeded down the river to the settlements. In a few days the Indians came down the river searching for their comrade, and inquired of Cassil and of the settlers if they had seen such an Indian as they described. Lew had kept his own secret, and of course no one had seen the missing Indian; but the tribe, for some reason unknown to the settlers, were suspicious that Cassil was in some manner connected with his disappearance.

In the autumn of 1866, Cassil, a son of Mr. Haines, and an immigrant whose name is unknown, went on a buffalo hunt on Brown's creek, in Jewell county, and were there joined by two sons of William Collins, then residing on Wolf creek, in Cloud county. They were attacked by Indians on the head-waters of Buffalo creek, and had a running fight for several miles. Their trail showed that they made a stand and fought on Buffalo creek, as there were indications of a lively fight having taken place at that spot; an Indian's head-band containing feathers was found near spots of blood on the grass.

From there the trail gave evidence of a desperate running fight to a grove of timber on Little Cheyenne creek, where Cassil and his companions were ambushed and the entire party killed—not one was left to tell the sad tale. Their bodies, horribly mutilated, were found several days after the massacre by a party of friends led by Capt. Brooks, and conveyed to Clifton, where they were properly buried.

The scene of the massacre showed that a desperate fight had taken place. In one of Cassil's hands when found was his empty revolver, in the other several cartridges, as though the last death-grip had clutched them and had not been relaxed, although he had been killed several days previous, showing that he had made a brave defense to the last. The fact that the Indians only took the horses, leaving the wagon and the revolver in the lifeless grasp of Cassil, was evidence that they had suffered a heavy loss in killed and wounded, whom they hastily conveyed away.

Thus perished Lew Cassil, as noble and brave a hunter and trapper as ever traversed the Western plains; and the first settlers of the Republican valley will verify the assertion that beneath this deer-skin garb beat as warm and noble a heart as ever responded to the appeals of humanity. Passengers on the C. B. U. P. Railway, some twelve miles west of Concordia, can see from the car windows the grove wherein, in the fall of 1866, fell Lew Cassil, the trapper.

CHAPTER 15.

CUNO VAN TANSY.

"When, in the course of human events," a boy has cast off his juvenile raiment, passed the meridian of his teens, and donned men's clothes, it makes but little difference to him whether he was born in an almshouse, or in a log cabin in the wilderness—whether his respiratory organs were first inflated with the noxious vapors of a garret or tenement house in a city, or with the pure mountain air which whistles through the crevices of a "dug-out" on the frontier.

If he have pluck, energy and moral courage, he starts out in the world with the consoling idea that the world owes every man a living, provided the creditor renders value received for that living. As the success or failure of every youth depends largely upon the culture, treatment and training received under the parental roof, the varied events in the life of every individual, whether happy or unhappy, may be traced, either directly or indirectly, to the treatment received, the exampies exhibited and the care bestowed by those who have in charge the youthful destiny. I am not a moralist, in the sense in which that term is usually employed, but I maintain that the wayward career of a majority of young men, after they reach the age of manhood, is largely attributable to those who have the care, culture and training of the youthful mind.

The stern and rigid rule that forbids a boy attending a theater or other places of innocent amusement, sooner or later makes an unfavorable impression upon his mind, and prejudices him against those who are the cause of his being deprived of privileges enjoyed by his young companions, and when he arrives at maturity he is liable to go to extremes in his desire to make up time lost during the pleasure-seeking, fun-loving years of his boyhood.

I am unable to give a minute account of the early life of the subject of this sketch, owing to the fact that my information has been collected at intervals, in detached portions, which I much regret, as his name appears on the Land-Office records as having been extensively engaged, either actually or supposeably, in that mysterious practice in the land business, of filing on claims under a great variety of aliases.

When and where Cuno Van Tansy first saw the light of day is a mystery. Whether the infant cries and spasmodic kicking were appeased by gentle caresses and soothing ministrations of an affectionate mother, or whether, as a waif, unknown and unclaimed, he was consigned to the uncharitable care and rough handling of some hired nurse in an almshouse, is wholly unknown. His name implies that he was one of those unfortunate beings who from their advent into the world are destined thenceforth to have no knowledge of their parentage, and doubtless Van Tansy received his name through some freak of fancy of the nurse who had the care and custody of him at the time of the important event which ushered him into the world. Perhaps the person who performed the task of inclosing him in the first raiment that shrouded his delicate person, like the one who did that duty for Oliver Twist, may have stimulated her exertions with the contents of a "green bottle," containing, not London beer, but the American beverage known as "Tansy bitters," which circumstance may have suggested to her clouded mind the surname of her helpless charge. Be that as it may, some one, without his knowledge or consent, bestowed upon him the name of Cuno Van Tansy.

I have had a difficult task to gather correct information of his early life, but, after diligent search, have ascertained the following brief outline of his infancy and boyhood:

From the first day of his existence he was obliged to draw his rations (consisting of bovine lacteal fluid) from a bottle, through a goose-quill wrapped with soiled linen, thrust into his tender mouth by an impatient nurse. He developed slowly under such treatment, and his existence at times depended largely upon the efforts of nature. When he was a small boy his appetite rebelled against the restraint of penurious guardianship, and became less manageable as he grew older. His tastes hesitated between the unripened fruit in the neighbors' gardens and orchards, and the transient pies and cake on the upper shelf of the musty pantry of the domicile in which he was reared. Not that he was by nature inclined to appropriate the property of others to his own use, but his appetite overpowered his juvenile judgment touching the debatable questions of right and wrong, and he considered himself a tenant in common as to orchards and melon patches.

At the age of ten years, on the morning of the Fourth of July, having secured possession of a bunch of fire-crackers, he ignited a match, and, applying it to the entire bunch, threw them at the feet of his maternal guardian. As soon as order was restored, Cuno suffered the penalty of his adventure, which consisted in his being confined in that part of the attic overlooking the street, containing a small window, from which he could see, with longing eyes, processions with bands of music, and his youthful companions making merry on Independence Day.

His rebellious spirit, aided by a precocious genius, quickly devised a plan for his freedom, and he mentally adopted an individual declaration of independence in sight of the flag which floated in the breeze from a building across the street.

In the room there was an old-styled bedstead, the straw-tick and covering of which were supported by a rope fixture. Van Tansy deposited the bed-clothes on the floor, and with his jack-knife, the only article that occupied his pocket, cut the rope, and, detaching it from the bedstead, fastened one end and threw the other end of the rope out of the window, by which means he descended to the pavement without injury, save to his hands, which were chafed by the friction. He immediately decamped, bidding adieu forever to the house and its inmates, from which time forward they could discover no trace of him. It is known, however, that on the morning of each Fourth of July, at sunrise, he declared his independence for the ensuing year; but of his wanderings after his reckless descent from the attic window, little is known.

As he was obliged to change his name to avoid pursuit, the practice of assuming aliases became a habit with which he could not afterwards dispense, without seriously interfering with his plans and projects.

I have ascertained that he served in the army during the war of the Rebellion, though of that fact there is no positive evidence; but if the records of the War Department containing the names of the privates in the different regiments were examined, doubtless the names George Lookout or Ditto Beverly might be found, as they are closely identified with that of Cuno Van Tansy on the tract-books of the Land Office. He claimed to have been in the army, but circumstances over which he had no control deprived him of the best evidence of that fact, discharge papers—whether withheld for disobedience or desertion is not known.

Be that as it may, the next reliable trace of him was in the spring of 1866, when a covered wagon crossed the Missouri river at St. Joseph, containing two men on their way to the frontier. One drove the spirited, well-fed team of horses, while his companion sat beside him on the seat with a violin, playing that lively, time-honored air among rollicking, fun-loving old stagers, known as "Over the River to Charlie." It was ascertained that the fiddler of the outfit was Cuno Van Tansy, going West to "grow up with the country." On each side of the wagon-sheet was the following legend in large letters—"KANSAS OR BUST."

In the autumn of that year the grasshoppers first made their appearance in Northern Kansas, and late in the season the same team, driven by the same man, without the fiddler, went eastward. The only visible change in the horses was a lamentable lack of spirit, caused by an equally lamentable lack of flesh, while the faded, dust-covered wagon-sheet on each side bore the significant, melancholy word, "BUSTED."

Van Tansy was left in a "dug-out" somewhere between the Big Blue river and the sixth principal meridian, from which point his real-estate transactions branched out in several directions. It was his custom to pick up loose stones on the prairie and lay a foundation with four corners, claim the land, watch for immigrants, and sell his right to some one unacquainted with the land laws. He knew the numbers of many tracts of land, would lay his foundations, then go on foot to the Land Office at Junction City, file on the tracts alternately in the names of George Lookout, Ditto Beverly and Cuno Van Tansy, then return to the land, watch for an immigrant, and sell his right. How often he engaged in such transactions, or in how many fictitious names he filed, is not known. He would sit for hours on one of those corner-stones watching for immigrants, whiling away the time playing on his violin, apparently as happy as Mark Tapley in his jolliest mood.

In many respects Cuno was a remarkable person. His ability to expatiate to an immigrant on the quality of the soil, the beauty of the country, the healthfulness of the climate, etc., could not be surpassed by the most expert land agent, and it never failed to induce an immigrant to purchase the transient right of Cuno to a tract of land on which he had laid a temporary foundation of cobble-stones.

As the country settled rapidly, his shortcomings became too well known to settlers and immigrants, and he wisely concluded that the glory of the land business had forever departed; so he collected his earthly treasures and hied him away to the mountains, where, in the shadow of the lofty ranges, on the margin of the great lake, he joined the Mormons and became a sojourner in the suburbs of the city of the Latter Day Saints. No regrets were expressed at his departure, but he left as souvenirs on the tract-books in the Land Office, a series of enigmas, to unravel which an ingenious land agent and the clerks of the Department devoted time and patience without avail; and the names of George Lookout, Ditto Beverly and Cuno Van Tansy still remain a mystery, connected with declaratory statements for tracts of land coveted by railroad companies as a part of their grant.

There came a rumor of doubtful authenticity from the Far West, to the effect that Van Tansy could not forego his inherent desire to lay claim to various tracts of land, and that he had filed on a tract that had been allotted to an elder of high rank, and when the matter was investigated, Van Tansy, by adroitness, and with his usual facility for assuming aliases, asserted that he was not the party; that his name was Van Ditto Cuno, and actually proved his assertion by producing a certificate of a filing in that name made during his land transactions in Kansas! There came another rumor, that he was fortunate and successful in claiming his privileges under the rules and sanctions of polygamy; and as his real-estate transactions had been of a transitory nature, he claimed his plurality of wives by the same muniments of title, barring the doubtful practice of assuming aliases to which his divers and sundry spouses seriously demurred.

After a varied and eventful history he finally lost his life in a skirmish with the Indians, and his wives had his body decently interred at the base of the mountains, and caused a tombstone to be erected to his memory, bearing the following inscription:

"One shifty land agent less on earth,
One angel more in Heaven!"

CHAPTER 16.

STAGING.

There seems to be a custom, or rather a habit, pertaining to frontier life, into which every one falls, particularly the first settlers—that of relating adventures and rehearsing the miraculous escapes and perilous dangers through which each old settler passed. There is no definite rule or system in regard to this kind of story-telling, but a spontaneous impulse on the part of those who, for lack of more exciting amusement, become transient weights upon goods boxes that adorn the sidewalks in Western villages, while they lavishly describe the early times, when they "went forty miles to mill, or to market their produce"—when Indian raids marred the pleasure of a hunt, and wolves howled around the cabins and "dug-outs" at night.

Since the advance of civilization, with its attendant improvements and facilities, has lessened the hardships of the first settlers, they enjoy a rehearsal of the scenes of that early time when the journey to the commercial towns was made in covered wagons, requiring several days to make the trip, before stage-coaches made their appearance to convey the weekly mail and transient travelers.

Staging in the Republican valley was a feature of enterprise, coëxistent with the establishing of the Land Office, of which the writer had sufficient melancholy experience to venture a description of it in these pages, as a dividing link in transportation facilities, between a toilsome journey in a cumbrous farm wagon and the handsome railway coaches that now convey one over the same route of travel in a few hours.

"All aboard!" shouted the driver, as he sat on the driver's seat in a small, cheerless-looking covered spring wagon, resembling a half-grown stage-coach of the present day, which the driver designated by the name of "jerky," as it stood in front of the Land Office at early dawn, while the morning star was yet shining, and the mercury below zero.

The driver was almost obscured with robes and blankets, while he held in check the restless horses, which evinced sundry acts of disobedience, doubtless augmented by coming in contact with the cold air, on being brought out of the stable. "All aboard!" shouted the impatient driver. There was no way of avoiding the journey.

The rules of the Department required that the receipts of the office, semi-monthly, must be conveyed to the depository, and the nearest express office was sixty miles away, with no stage route to it, and the "jerky" was bound for Junction City, seventy-five miles down the valley, requiring nearly two days to make the trip.

With doubtful prospects I entered the vehicle, the driver cracked his whip, and the "jerky" rattled away over the frozen ground down the valley. Two forlorn homestead settlers, who had taken claims and were going East for their families, were my traveling companions, and as the "jerky" rumbled over the rough ground, we were jostled, banged and battered sufficient to damage a cast-iron constitution. The sun rose bright, and the stillness of the morning, though cold, prompted us to hope for a mild day; but our hope ended not in fruition, but cheerless discomfort. As the damaged condition of the imitation of stage covering that inclosed the rickety bows of the "jerky" did not obstruct the vision, I discovered an embankment of dull, leaden-colored clouds lying along the northern horizon, that seemed to be slowly rising towards the zenith, while fitful gusts of small whirlwinds which dallied with "tumble-weeds" and detached portions of prairie-grass along the roadside, were omens that betokened an approaching snow storm.

No regular road had been established, and the trail made by immigrant wagons was the only guide for the driver, and while the route was down the valley, and a large portion of it level, yet at intervals we had to cross a divide or range of hills.

At the base of the first hill we reached, an unlooked-for delay occurred, by one of the horses refusing to go up the hill, and not only stood still, but manifested a decided preference for pulling backward instead of forward. In vain the driver applied his whip, accompanied with the usual amount of emphatic language from the stage-driver's vocabulary. We alighted and "put our shoulders to the wheel," but without avail, however, for we were compelled to walk up the hill—an exercise our chilled limbs needed—while the driver made a wide circuit, approaching the summit obliquely.

Meantime the sky became overcast with clouds and the snow began falling.

Late in the afternoon we arrived at the station for changing horses. By this time the snow was drifting, and danger of becoming lost on the prairie induced the driver to remain over night.

The station consisted of the dwelling of the owner—a "dug-out" and log cabin combined, and so arranged as to resemble a "double" log cabin, with an open porch between, and a cheap straw-thatched Kansas stable, made by forks set in the ground, with poles laid across, covered with straw or prairie grass, the whole structure surrounded with straw and corn-shocks.

One room of the dwelling house was used for kitchen and dining-room combined, and the other used as a sitting-room with a fire-place, the jambs and mantel-piece laid up in the rough.

Into the latter we were conducted by the host, who left us to occupy seats while he went to the wood-pile to procure fuel to replenish an apology for a fire that feebly flickered between a green "back-log" and "fore-stick," reminding one of the end of life. He seemed to be lamentably slow as he shambled along with an armful of green cottonwood sticks, which he deposited promiscuously on the fading embers; and after fanning the embers into brightness with his slouched hat, he left us with the consoling remark:

"I guess it'll burn."

The green cottonwood sticks hissed like so many writhing serpents, and for all the heat or warmth they emitted one might as well have been sitting by a vanishing camp-fire on the shore of Hudson's Bay in midwinter.

I had heard of the "every-day ague" and the "third-day ague," but if I had been afflicted with both those diseases, with the "dumb ague" thrown in, I could not have been more chilled and uncomfortable than in that melancholy mood, as I gazed at that mass of cottonwood sticks hissing among the embers, while the storm without beat furiously against the clattering window-sash.

At length supper was announced, which might properly be called a second-class cold lunch, as the house was "out of coffee."

After supper I concluded our host had some redeeming qualities, as he brought in a basketful of corn-cobs, with which he built a roaring fire, and he entertained us with several lively airs on the violin, at which he seemed to be more expert than keeping a boarding-house or stage-station.

Our sleeping apartment was in that part of the building, in Western parlance, "up stairs," the route to which were the irregular rounds of a ladder, and the room, that which might be designated as the garret of a log cabin. Our sleeping-couch was a straw tick laid upon the floor, with a solitary blanket for covering. The gable end of the "up stairs" had a place or aperture for a window with the window left out, and in lieu thereof a segment of a wagon-cover fastened across it to prevent the snow and rain blowing into the room, which proved to be an insufficient barrier on the occasion of which I write. Sleep was out of the question with that wagon-sheet flapping, and the mournful sound of the wind as it penetrated every crevice, conveying the drifting snow into the chamber. At day-dawn I thrust aside the wagon-sheet and looked out over the desolate landscape to the east. The clouds had disappeared, the wind was decreasing in velocity, and I beheld a cold, cloudless sky. Near by was the ice-bound Republican; on the other side of the river a range of dismal, snow-covered hills or bluffs, and beyond them the blue sky and twinkling stars fading away in the gray streaks of day-dawn.

We had a cold, cheerless journey on the following day to Junction City, where I deposited my package, consisting of a fragment of the Nation's revenue of considerable value, in the express office. Subsequently I made many such journeys over the same route, through storm or sunshine, varied only with the variations of the weather over which "Old Probabilities" had no control.

When the country became more thickly settled, and travelers penetrated this region, the Southwestern Stage Company put on the roads their commodious stage-coaches, with a daily line from Waterville to Concordia, and for several years I made semi-monthly trips in those coaches to Waterville, bearing the receipts of the office to the express office. Many of those journeys were enjoyable, barring an occasional trip during a rain or snow storm, and an occasional necessity requiring that I should recline on top of the coach the entire route, owing to the interior being crowded with women and children. At such times the kindness of the gentlemanly drivers served to dispel the otherwise dispiriting prospect of comfortable traveling.

The early settlers of the Republican and Solomon valleys will long remember the daily arrival of the stage-coaches, when the prospects for a railroad were doubtful, only enlivened by transient railroad meetings, appointing committees and passing extravagant resolutions. But since the whistle of the locomotive has been heard in these valleys the stage-coaches are numbered among the things of the past. Yet they will be remembered among the scenes of frontier life, and the names of Scott and Benjamin as superintendents, and Murphy, Huggins, Conant, O'Toole and others, who handled the ribbons as drivers, will be remembered by those whose frontier traveling so long consisted of staging in Northwestern Kansas.